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DESIGNATION OF LANDS AS PART OF THE NATIONAL WILDERNESS PRESERVATION SYSTEM

HEARING

BEFORE THE

SUBCOMMITTEE ON
SOIL AND WATER CONSERVATION,
FORESTRY, AND ENVIRONMENT

OF THE

COMMITTEE ON AGRICULTURE,
NUTRITION, AND FORESTRY
UNITED STATES SENATE

NINETY-EIGHTH CONGRESS

SECOND SESSION

ON

S. 2773

A BILL TO DESIGNATE CERTAIN NATIONAL FOREST SYSTEM LANDS IN THE STATE OF GEORGIA TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM, AND FOR OTHER PURPOSES (GEORGIA WILDERNESS ACT OF 1984)

S. 2805

A BILL TO DESIGNATE CERTAIN PUBLIC LANDS IN VIRGINIA AS ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM (VIRGINIA WILDERNESS ACT OF 1984)

H.R. 5121

A BILL TO DESIGNATE CERTAIN NATIONAL FOREST SYSTEM LANDS IN THE STATE OF VIRGINIA AS WILDERNESS (VIRGINIA NATIONAL FOREST WILDERNESS ACT OF 1984)

S. 2808

A BILL TO DESIGNATE CERTAIN NATIONAL FOREST SYSTEM LANDS IN THE STATE OF MISSISSIPPI AS WILDERNESS, AND FOR OTHER PURPOSES (MISSISSIPPI NATIONAL FOREST WILDERNESS ACT OF 1984)

JULY 25, 1984

Printed for the use of the
Committee on Agriculture, Nutrition, and Forestry

U.S. GOVERNMENT PRINTING OFFICE
39-087 O WASHINGTON : 1984

S161-41

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DESIGNATION OF LANDS AS PART OF THE NATIONAL WILDERNESS PRESERVATION SYSTEM

WEDNESDAY, JULY 25, 1984

U.S. Senate,
Subcommittee on Soil and Water Conservation,
Forestry, and Environment,
Committee on Agriculture, Nutrition, and Forestry,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:06 a.m., in room 328-A, Russell Senate Office Building, Hon. Roger W. Jepsen (chairman of the subcommittee) presiding.

Present: Senators Jepsen and Cochran.

STATEMENT OF HON. ROGER W. JEPSEN, A U.S. SENATOR FROM IOWA

Senator Jepsen. The committee will come to order.

I would like to welcome everyone here today on behalf of the Subcommittee on Soil and Water Conservation, Forestry, and Environment.

The subcommittee is continuing with its series of hearings on State wilderness bills. A compromise reached earlier this summer between the House and the Senate has allowed several wilderness bills to be signed into law.

As always, I can appreciate and respect the differing points of view on the amount of wilderness designation. However, I am hopeful that the discussion here today will facilitate the resolution of the differences so that we may process the bills through the committee expeditiously.

The hearings today will focus on bills designating wilderness in the States of Mississippi, Virginia, and Georgia.

I would like to welcome my distinguished colleagues in the Senate, and invite them to come forward, so that we may proceed.

In addition to the congressional presentation, the subcommittee will hear testimony from the U.S. Department of Agriculture, and from representatives from both conservation and development organizations in the three States.

At this time I would welcome and introduce my very distinguished colleague from Mississippi, Senator Thad Cochran, who has been a leader in this area, as well as many areas of the environment and agriculture community.

As the subcommittee chairman on the Appropriations Committee for Agriculture, Senator Cochran has been most receptive and sensitive to soil and water conservation matters in all environmental areas. I appreciate his leadership, and he has served as a living example for me in my work and responsibilities as committee chairman of the Subcommittee on Soil Conservation. We have worked hand-in-hand, and he has been very supportive of the environmental causes and requests that we have made. Senator Cochran, thank you for coming today.

As we say in Washington, thank you for taking time out of your busy schedule to be here this morning.

STATEMENT OF HON. THAD COCHRAN, A U.S. SENATOR FROM MISSISSIPPI

Senator **Cochran**. Well, Mr. Chairman, I appreciate very much the opportunity to testify before your subcommittee. I express my appreciation to you for convening this hearing in such a timely manner.

As you know, I have been very interested in the subject of wilderness in the State of Mississippi, and I have introduced the Mississippi wilderness bill, which is S. 2808.

I want to thank Congressman Trent Lott who introduced similar legislation, H.R. 5965, in the House of Representatives. I also feel as though we owe a special word of thanks to the citizens in Mississippi who have been actively involved in the wilderness designation issues over the years. Because it is through this citizen involvement that we have been able to develop an important agreement reflected in this legislation, if passed and signed into law, it will assure the preservation of an important part of Mississippi heritage for all generations to study and enjoy.

Senate bill 2808 designates two areas in the DeSoto National Forest in southeastern Mississippi as wilderness. The Black Creek Area is 4,560 acres in size, and is located in Perry County. The Leaf Area is 940 acres in size, and is located in Greene County. The combined acreage of these two areas is approximately 5,500 acres. Both areas are excellent representatives of the Outer Coastal Plain Ecosystem.

The Black Creek area includes 5 miles of Black Creek, which is also being studied by the Forest Service for possible designations in the National Wild and Scenic River System and Beaverdam Creek which is a narrow winding tree covered stream.

The Leaf area is a mosaic of creeks, sloughs, bluffs, and lakes. Both areas have a variety of hardwood and pine timber types that provide a valuable and diverse habitat for wildlife and bird species.

These two areas were recommended by the Forest Service for wilderness designation in 1979 as a result of the National Roadless Area Review and Evaluation, RARE II. Since that time, many groups and citizens in Mississippi and across the Nation have supported wilderness designation for these two areas.

I also want to express, Mr. Chairman, my appreciation to Greg Reynolds, a member of my staff who has been very helpful in developing this legislation, in communicating, discussing provisions of the bill with various groups, the Forest Service, and others, in and outside of the State of Mississippi, and it is because of this discussion, in bringing together all of the varied interests that you have to consult, and should consult in the development of an initiative like this, that we have been able to, I think, present to the committee a bill which ought to be approved and reported to the full Committee on Agriculture, Nurtrition, and Forestry.

I am hoping that we can get early action on the bill, so that we can see the Senate pass this this year. Maybe the House, too. So that it can become a part of our National Wilderness System.

This is the first bill that has ever been introduced in the State of Mississippi to designate lands as wilderness. I congratulate you on the fine work you are doing in dealing with these issues, and in scheduling this important hearing, and I just want you to know that you have my total support for these important wilderness issues

Thank you, Mr. Chairman.

Senator JEPSEN. Thank you, Senator, and is it your desire to introduce any of the witnesses from Mississippi, while you are here? They will follow, I might point out, they will follow Dale Robertson, who will be our first witness, the Associate Chief, Forest Service. But I am sure they would——

Senator COCHRAN. We do have a representative of the Mississippi Chapter of the Sierra Club who will be testifying this morning, and I am very happy that they are represented, because the Mississippi Chapter was very helpful to me and my staff in working up this bill, and developing this consensus that is so essential to the passage of a bill like this.

Senator JEPSEN. OK, very good.

In that case, I will ask you to chair the hearing for a few minutes.

Senator COCHRAN [presiding]. Dale Robertson is our next witness on the agenda. He is Chief of the U.S. Forest Service—Associate Chief of the U.S. Forest Service. I promoted you there. How does that sound?

Welcome to the committee. You may proceed.

STATEMENT OF F. DALE ROBERTSON, ASSOCIATE CHIEF, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. ROBERTSON. Thank you, Mr. Chairman. It is a pleasure to join you here today to consider several bills for designating wilderness of the national forests in Georgia, Mississippi, and Virginia.

First, I would discuss S. 2773, The Georgia Wilderness Act of 1984.

Currently, there are five wildernesses in Georgia, totaling about 400,000 acres. About 32,000 acres of the existing wilderness are on national forest land.

S. 2773 would designate two wilderness additions on the Chattahoochie National Forest. About 2,000 acres would be added to the Ellicott Rock Wilderness, and about 12,000 acres would be added to the Southern Nantahala Wilderness. Both of these areas were recommended in RARE II, as wilderness. The Department of Agriculture recommends enactment of S. 2773, if amendments as described in my testimony are adopted.

S. 2773 includes release language similar to the recent House-Senate compromise, but needs some revision so that it is consistent with that compromise language.

The release provision also identifies specific areas that are excluded from the release. These areas are the Georgia portion of the Big Frog Wilderness study area which is currently being proposed for wilderness designation in the Tennessee Wilderness Act of 1984, Raven Cliff, Overflow, Blood Mountain, Chattahoochee River, Tray Mountain, Hemp Top, Mountaintown, Rich Mountain, Brasstown, and Wolf Pen. These would be further planning areas to be considered for all uses, including wilderness, during preparation of the forest plan for the Chattahoochee National Forest.

Three of these other planning areas—Raven Cliff, Brasstown, and Wolf Pen were recommended for wilderness in the RARE II final environmental impact statement. We see little value in studying these areas further. We recommend that S. 2773 also designate these three areas as wilderness.

The RARE II decision on Mountaintown was nonwilderness. This decision was made because of non-Federal mineral rights, existing roads, a designated off-road vehicle trail, and wildlife openings that are part of the Cohutta Wildlife Management Area. We recommend that Mountaintown be deleted from the further planning areas listed in the bill, and be released for uses other than wilderness.

In the court case of *Southern Appalachian Multiple Use Council* v. *Bergland,* decided in 1981 by the U.S. District Court for the Western District of North Carolina, the court held that when further planning areas east of the 100th meridian are studied as a part of the land management planning process outlined in the National Forest Management Act, one of two broad decisions can be reached. The decision can be either to manage the area for multiple use purposes other than wilderness, or to recommend the area to Congress for designation as a wilderness study area.

There remains some question in this bill whether the Secretary of Agriculture can make a recommendation for wilderness rather than wilderness study to Congress as a result of the forest plan. To clarify this question, we recommend that the last sentence of section 5(e) be changed by deleting the period and adding the following clause at the end: "and the Secretary may forward a recommendation for wilderness designation to the Congress based on such plan."

Next I will discuss Senate bill 2805 and H.R. 5121, the Virginia Wilderness Act of 1984.

S. 2805 and H.R. 5121 are the same except for the air quality study provision and the buffer provision in the Senate bill.

These bills would designate 10 additional wildernesses for about 56,000 acres, expand one existing wilderness by about 200 acres, and designate four areas, about 25,000 acres, as wilderness study areas.

The Department of Agriculture recommends enactment of either bill if amended as indicated in my testimony.

Nine of the areas proposed for wilderness designation in S. 2805 and H.R. 5121 were recommended for wilderness in RARE II. These areas are: Beartown, Little Dry Run, Lewis Fork, Little Wilson, Kimberling, Thunder Ridge, Peters Mountain, Ramseys Draft, and St. Marys. We continue to support wilderness designation for these areas.

The 10th area proposed for wilderness is Mountain Lake. It was recommended for further planning in RARE II, and was also identified as a wilderness study area in the Eastern Wilderness Act. Extensive study and public involvement have been completed on this area. The study is far enough along that we can support wilderness, since there are only limited resource values that would be foregone by wilderness designation. Only the 8,253 acres in Virginia are included in S. 2805 and H.R. 5121. We also recommend inclusion of the adjoining 3,000 acres in West Virginia.

The bills propose adding a small amount of land to the James River Face Wilderness. We do not object to this addition, since it is logical to manage this land as a part of the existing wilderness.

Both bills would designate Rough Mountain, Rich Hole, Barbours Creek and Shawvers Run for wilderness study. Rough Mountain and Rich Hole were recommended for wilderness in RARE II. We recommend that both areas be designated wilderness now because we see little value in studying these areas further.

Barbours Creek and Shawvers Run were recommended as nonwilderness in RARE II because of extensive management activities in the area. There are currently oil and gas leases covering the entire area. Extensive timber harvest has taken place, and additional timber sales are planned. These areas have also been adequately studied, in our opinion, and therefore we do not support further study. We believe these two areas should be released for uses other than wilderness by this bill.

We recommend that section 6(d) in S. 2805 be deleted. This section is intended to require determination of what restrictions would be placed on industrial development in Covington, VA, if the wilderness study areas in the bill became wilderness and were redesignated from class II to class I air quality areas.

When an area is designated wilderness, the air quality class does not change. However, it is possible for the State of Virginia to redesignate these areas to class I by following the procedures specified in the Clean Air Act as amended, but in our opinion, this change is not likely. Therefore, we do not think it is appropriate to spend funds now to study a redesignation that is unlikely to occur.

Five areas; Dolly Ann, Ramseys Draft Addition, Southern Massanutten, Devils Fork, and Mill Creek were identified as further planning in RARE II. They would be released for uses other than wilderness by this bill. Mill Creek was also identified as a wilderness study area in the Eastern Wilderness Act of 1975.

We recommend that specific language be added to S. 2805 and H.R. 5121 to rescind Mill Creek's Wilderness Study Area status to clarify the congressional intent to release the area and terminate the earlier wilderness study requirement.

We support the release language in both of the bills in Virginia.

Finally, I would discuss S. 2808—the Mississippi National Forest Wilderness Act of 1984. The bill would designate two wilderness areas in the State of Mississippi, Black Creek and Leaf, totaling about 5,500 acres.

Black Creek and Leaf are currently recognized as having outstanding opportunities for solitude and unconfined recreation. Water is a major feature in both areas. Both were recommended for wilderness under RARE II, and we continue to support their designation as wilderness. The bill also contains the Senate-House compromise release language which we support.

Therefore, Mr. Chairman, we recommend that S. 2808 be enacted.

This concludes my statement on these bills. I will be happy to answer any questions you may have, Mr. Chairman.

Senator COCHRAN. Thank you very much, Mr. Robertson.

Senator Jepsen, the chairman of the subcommittee, asked me to read into the record for him this statement concerning your testimony, and I will do that now:

> There are several references in your testimony to "further planning areas." Let me clarify what the Committee views as further planning, and see if we can reach some agreement.
>
> As I view it, "further planning" is a category describing the status of a number of parcels of land in the National Forest System that were studied for their wilderness potential under RARE II, and not recommended for wilderness or nonwilderness.
>
> That is the only time that this term "further planning" is used in reference to the status of lands in the National Forest System. This Committee has been careful, and will continue to be careful, not to create a new category of "further planning" in the National Forests.
>
> It has been the practice of Congress to designate "wilderness areas," "wilderness study areas," and to release all other areas in the National Forests to management for multiple uses by the Forest Service. It has not been the policy of this Committee to dictate to the Forest Service what the uses of this land should be, so I would emphasize that your references to "further planning" as a categorical description is a descriptive term recognized by this Committee only to reference those areas which were administratively placed in that category in the final environmental impact statement of RARE II.

Do you have any reaction to that?

Mr. ROBERTSON. I think the statement is accurate. We would agree with that.

Senator COCHRAN. You agree with the statement then?

Mr. ROBERTSON. Well, the further planning is the category created by the Forest Service and the RARE II process, and Congress has designated wilderness study areas, rather than further planning areas.

Senator COCHRAN. Well, we appreciate your testimony.

I have no questions of you, and none have been submitted to me by any other members of the subcommittee. We may have written questions submitted to the Department at a later date, which we would, of course, request that you respond to in a timely manner.

Mr. ROBERTSON. We will be happy to do so.

Senator COCHRAN. We appreciate your help at the hearing.

Thank you for being here.

Our next witness on the agenda is Dr. Thomas M. Pullen, Jr., member at large of the executive committee of the Mississippi Chapter of the Sierra Club from Raymond, MS.

Dr. Pullen, if you would come forward, and you can sit here at the witness table. Thank you for coming.

I appreciate your help, and again, let me reiterate my thanks to the Sierra Club in Mississippi, your friend from Oxford, whose name escapes me right now, he has been in my office a few times, we worked on this, and he has been a big help, and so have the other members of the Mississippi chapter.

So I thank you again for that, and you may proceed.

STATEMENT OF DR. THOMAS M. PULLEN, JR., MEMBER-AT-LARGE, MISSISSIPPI CHAPTER, SIERRA CLUB, RAYMOND, MS

Dr. PULLEN. Thank you, Senator Cochran. I appreciate the opportunity to be here this morning.

I would like to thank you for bringing this matter of wilderness before the Congress.

We in the Sierra Club in Mississippi have had a great deal of interest in it, as you well know, and we appreciate that. I would—well, you have my statement, and I am not going to bother to read that this morning, but I would like to say a few remarks regarding the Mississippi bill.[1]

First, with reference to the Black Creek Area and Leaf Area, the Mississippi Chapter of the Sierra Club certainly agrees that these two areas are worthy of preservation as wilderness. There can be no question about that.

As you pointed out, they have many outstanding characteristics. We certainly agree with the Forest Service study in this respect.

We do support this bill. We think it is a good compromise bill as regards the situation in Mississippi.

I would like to make a few comments though regarding other potential wilderness areas in our State. As you know, we do have a number of other areas that do have wilderness characteristics, Sandy Creek Area is one. The Forest Service recognized it as being worthy of further study in the RARE II report.

There are also some areas up in the Delta National Forest that do have certain wilderness attributes. Mississippi is in sort of a unique position, we feel, with reference to wilderness, in that if you were to total up the total acreage, it would only be around 10,000 acres that might be worthy of wilderness designation.

We are not as fortunate as some other States that have many, many acres, hundreds of thousands of acres of potential wilderness areas, and for that reason we do feel that there may be reason to think very carefully about the areas in Mississippi that this bill would not include for either wilderness designation or possibly for further study.

As the bill is currently drafted, it would eliminate the possibility of being able to consider these other areas until the next forest planning cycle rolls around, which could be 10 years from now. Because we do have such a small amount of potential wilderness statewide, and Mississippi is in somewhat of a unique situation because of this, the Sierra Club does have concerns over this, and if there is any way possible that some provision could be incorporated into this bill that would enable us to continue looking at the Sandy Creek area, in particular, we think this would be desirable, in the best interest of the State.

As I said, we do support the bill as a compromise bill. The two areas that have been recommended are worthy of wilderness designation.

Senator COCHRAN. Well, thank you very much, Dr. Pullen, for being here, and coming up from Mississippi to testify in support of the bill.

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[1] See p. 68 for the prepared statement of Dr. Pullen.

We will continue, speaking from my personal standpoint as a Senator, continue to work closely with you and others who are interested in the wilderness designation issue in Mississippi, to be sure that the interests of our State are fully protected, and are reflected in congressional action.

I am glad that you are supporting the bill, and I am hoping that we could get early action on it, and get it passed so that we can see these designations made. I think it will be an important step forward in our State.

We are breaking some new ground down there, nobody has been willing to touch the thing, as you know, for sometime, but I am glad to see that we got together on it, and worked out a bill that I hope will be recommended by the subcommittee, and passed by the Congress.

Thank you again for being here. I really appreciate your testifying.

Dr. **PULLEN**. Thank you.

Senator **COCHRAN**. Mr. Chairman, I am glad to relinquish you the power of this chair.

Senator **JEPSEN** [presiding]. Thank you, Senator Cochran.

The Chair has been advised that there are no further witnesses from Mississippi; that is correct?

The Chair has also been advised that Senator Nunn and Senator Mattingly from Georgia will not be present, but they do have statements, and the Chair advises that the record will show that their statements will be entered into the record.

We also have a statement from Senator Huddleston that will be inserted into the record along with the others.[1]

We will now invite the Georgia panel to take their chairs here. Robert Kerr, executive director of the Georgia Conservancy, Atlanta, GA; Randall Snodgrass, southeast regional director, the Wilderness Society, Atlanta, GA; Stephen Bowling, botanical consultant, Atlanta, GA; and Ms. Andrea Timpone, president, Friends of the Mountains, Clayton, GA.

Welcome to Washington, and welcome to this subcommittee. In the true democratic procedure, I ask that the four of you decide the order of preference among yourselves.

STATEMENT OF G. ROBERT KERR, EXECUTIVE DIRECTOR, THE GEORGIA CONSERVANCY, ATLANTA, GA

Mr. **KERR**. I am Bob Kerr, the executive director of the Georgia Conservancy, and I am speaking today on behalf of three groups; the Georgia Conservancy, the Southern Highlands Coalition, and the Georgia RARE II Environmental Coalition.[2]

The Georgia Conservancy is a 4,000 plus member Georgia-based organization. The Southern Highlands Coalition is made up of North Carolina and Georgia organizations that came together because we believed that about 50,000 acres that are on the border of both Georgia and western North Carolina, called the Southern Nantahala, which is a very special area, needs to be protected, so we came together for that purpose many years ago. That area encompasses the headwaters of the Tallulah River in western North Carolia and northeast Georgia and the headwaters of the Nantahala River in western North Carolina.

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[1] See p. 67 for the prepared statement of Senator Huddleston.

[2] See p. 72 for the prepared statement of Mr. Kerr.

Mr. Bowling will speak to the mechanical and biological significance of that later.

Georgia RARE II Environmental Council, 15 groups, was put together to respond to the RARE II effort, and as a result, the 15 organizations; health organizations, conservation, sports, and environmental recreational organizations, visited each of those areas with scientists, and ran transects over every one of the areas, put in untold hours of volunteer effort evaluating the significance of each of the areas. Over 250,000 acres were in the original RARE II inventory in Georgia.

We, as an organization, have selected 95,000 acres that we believe are significant enough to go into the Wilderness System. As a result of that effort, we produced a document, which was called by the Forest Service, the finest submission to come out of anywhere as a result of the RARE II efforts. It contains scientific documentation of all of the areas, and so on, and I would make it available to the committee, if they desire it.

Mr. KERR. S. 2773 addresses the Southern Nantahala areas, and it addresses the other areas. It adds to the Wilderness System, the Southern Nantahala, and the extension of Ellicott Rock.

We commend, and we thank both Senator Nunn and Senator Mattingly for initiating this valuable effort in Georgia.

We concur with the release language, which releases several thousands of acres back to multiple use. Our concern with the bill, however, is that portion of section 5 which remands 10 areas to the U.S. Forest Service RPA planning process for decisionmaking

We agree with Mr. Robertson that Congress must make the decision of wilderness, and therefore, we request that the committee amend section 5 of S. 2773, to designate those 10 areas as official wilderness study areas, as opposed to remanding them back to the Forest Service.

We would like for you to, in that amendment, of course, request that the Forest Service come back to you with recommendations, and that they manage those areas so as not to impair the wilderness values until Congress has had an opportunity to act.

We also agree with Mr. Robertson that three areas; Raven Cliff, Brasstown, and Wolf Pen, which are in those remanded areas, should also be immediately designated as wilderness in this bill.

I would like to thank you and the committee for your consideration of these requests.

I would be happy to provide any further data that you would like, and answer any questions that you might have.

Thank you.

Senator JEPSEN. I thank you. Mr. Snodgrass, you are next.

STATEMENT OF RANDALL SNODGRASS, SOUTHEAST REGIONAL DIRECTOR, THE WILDERNESS SOCIETY, ATLANTA, GA

Mr. SNODGRASS. Mr. Chairman, I am Randall Snodgrass, southeast regional director of the Wilderness Society. I had the pleasure to appear many times before Congress in support of wilderness legislation for other States in my region, but it is a special pleasure to be here today to support a wilderness bill for my home State of Georgia.

The Wilderness Society is appreciative of the efforts by both Senators Nunn and Mattingly on this legislation, and grateful to this committee for its prompt attention.

The Wilderness Society supports all the areas mentioned in this bill, S. 2773, for inclusion in the National Wilderness Preservation System. In addition to the Southern Nantahala and Ellicott Rock Wilderness, we would also like to see the 10 areas not released: Raven Cliff, Wolf Pen, Brasstown, Tray Mountain, Chattahoochee, Blood Mountain, Overflow, Mountaintown, Hemp Top, and Rich Mountain protected in the near future.

Until Congress can decide on the fate of these worthy areas, we would like to see them protected as formal wilderness study areas. This is certainly not without precedent in other States.

This committee, for instance, supported such interim protection for five areas in North Carolina. The Tennessee, Virginia, and Florida wilderness bills also contain several wilderness study areas.

As in the case with the Georgia areas, most of these wilderness study areas were categorized as "further planning" during the RARE II study. A final decision by the Forest Service on these further planning areas in the Chattahoochee National Forest is expected in early 1985. Our fear is that Congress will not have an opportunity to decide which of the 10 areas in Georgia omitted from this bill should be placed in the Wilderness System.

Once the forest management plan is complete, and the decision on these areas final, timbering and roadbuilding can take place on the areas the Agency decides to release. We do not anticipate that Congress will enact a statewide RARE II bill for Georgia prior to the plan's completion.

Thus, these 10 areas mentioned above may be in jeopardy soon after this Congress adjourns, without an amendment to the bill before you.

The Forest Service has argued most effectively for the preservation of these areas in the recently released Regional Guide for the South, and the accompanying environmental impact statement. I am quoting from this document.

> Based on the 1981 data, the average wilderness use in the Appalachian Mountain subregion already exceeds carrying capacity. The addition of roadless areas in the mountain subregion would help meet the increasing demands. Wilderness recreation visits in the Southern Region averaged 5 percent per year from 1975 to 1979. This compares to 2.5 percent nationally during the same period. Since 1979, recreation use of wilderness in the South has increased approximately five times faster than during the 1975-79 period.* * * Wilderness use in the South is expected to continue to exceed national trends, with an average annual growth rate of 4 percent over the next two decades. It is estimated that all of the proposed RARE II wilderness areas, and 55 percent of the further planning areas would require wilderness designation to meet 1980 RPA program targets.

The 1980 RPA planning target for wilderness predicts that, by the year 1986, 700,000 acres of national forest wilderness will be required to meet the projected need in the southeast region.

With the enactment of the North Carolina wilderness bill on June 19, 1984, the total acreage regionwide is currently 218,173 acres. Adding to that figure the acreage in the bills before Congress, Virginia, Florida, South Carolina, Tennessee, Arkansas, Texas, Alabama, and Mississippi, the total would be 535,332 acres. And the two remaining States to be legislated, Oklahoma and Kentucky, will only bring the total to 564,892 acres.

Thus, all of the potential wilderness in Georgia must be protected, in order to approach the Forest Service target of 700,000 acres. This would include the 14,529 acres in the bill, as well as the additional 118,000 acres the conservation community in Georgia would ultimately like to see protected in the Wilderness System.

And it should be noted that all of the wilderness acreage in Georgia would fall in the more heavily used Appalachian Mountain subregion, where the Forest Service points out, we need it the most.

There is then a very practical need which can be addressed by amending this bill, protecting the wilderness values in our proposed wilderness study areas until Congress can act on their behalf.

The interim protection, and the further study which this classification would afford these areas will give us and the Congress ample time and peace of mind to make the most knowledgeable, farsighted decision

In closing, Mr. Chairman, I want only to reiterate our appreciation to this committee for its prompt attention to the bill.

The Wilderness Society also supports S. 2808, the Mississippi wilderness bill, which is before you.

I would like to ask that our written testimony on the Mississippi bill, which is attached, be included as a part of the record.

Senator JEPSEN. It will be entered as if read.[1]

Mr. SNODGRASS. Thank you.

Senator JEPSEN. Now, Mr. Stephen Bowling, I understand you are next, botanical consultant from Atlanta, GA.

You may proceed.

STATEMENT OF STEPHEN BOWLING, BOTANICAL CONSULTANT, ATLANTA, GA

Mr. BOWLING. The purpose of my statement is to give some of the scientific reasons and advantages for holding certain forest areas in an unmanaged state, and to specifically discuss the reasons for recommending that the proposed Georgia additions to the Southern Nantahala and Ellicott Rock Wildernesses be included in the National Wilderness Preservation System.

Within the Southern Appalachians there still exists a few areas that, though often man modified in the distant past, closely approach the original state of the forest. Most of these areas are at higher elevations, on the steepest and most inaccessible ridge-crests and slopes. Many of them have a great diversity of microhabitats, which support a comparable diversity of plants and animals. Many of these are small, restricted populations of relict species that were more widespread during the last Ice Age, over 10,000 years ago. The habitats of these areas, and the species that they support are quite vulnerable to man's efforts to manage them.

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[1] See p. 74 for the prepared statement of Mr. Snodgrass.

In many cases, the environmental factors are so complex and delicately balanced that it would be nearly impossible to manage these areas for short-term economic benefit, without the permanent alteration of the environment, and subsequent long-term economic loss.

Just some of the factors that make these areas vulnerable are high rainfall, steep slopes, and thin erodible soils. These steep, thin soiled and highly erodible upper elevations are some of the most prone to naturally occurring catastrophic "cloudbursts", which can produce very destructive floods in the valleys below if the forest cover is not in place. The high level of rainfall and the thin nature of the soils cause considerable erosion and leaching of soil nutrients if there is no mature forest to hold the soils and nutrients.

Erosion sends considerable silt into the streams and rivers that flow on to provide the water supplies of the major population centers in the Piedmont. This siltation adversely affects water quality and stream biota, particularly trout and other fish, and hastens the filling in of reservoirs. Leaching of soil nutrients leads to the steady decline of the productivity of an area.

The removal of protective cover vegetation and the extensive soil disturbance that takes place during timber management of these areas can cause the loss of the rarer and more habitat restricted species. The advantages of leaving these relatively small areas in an unmanaged state are numerous from the standpoints of pure and applied science, as well as economics. These areas are greatly in need of study.

One of their practical benefits in their natural state is the storage and slow release of clean water to the streams and rivers that supply most of the population. These areas are needed to serve as a pool of genetic diversity, so that the forest has sufficient ability to adapt its species to changes, both natural and man-made.

Some original or near original forests needs to be left in a natural state so that a comparison can be made with managed areas, both for pure scientific inquiry and for the study of how to economically manage the much greater balance of the forest.

The endangered, threatened and rare species of these areas are also best preserved by leaving their habitats in a natural state.

These relatively small areas are most cheaply and beneficially managed by leaving them alone. Unmanaged forest does the best job of handling water quality, preventing erosion, cycling soil nutrients and preserving the diversity of wildlife and plants.

The cost of timber management on these steep, difficult slopes is both economically and ecologically exorbitant. These areas have survived as the least influenced by man's activities precisely because they are the most inaccessible and expensive to exploit. Their value to man is much greater in the long run as natural, unmanaged areas rather than for the short-term economic rewards of exploiting them.

Now, specifically addressing the two areas in Georgia, the proposed additions to the Southern Nantahala and Ellicott Rock Wildernesses, the Georgia addition to the Southern Nantahala Wilderness contains some of the most rugged mountain terrain in the State. Most of the area is above 3,000 feet in elevation, and contains the State's third and fourth highest elevations. Many of the ridgelines are rocky and knife-like, with slopes generally exceeding 30 to 60 percent, and with a number of cliffs and near cliffs. These slopes are very prone to erosion and difficult to remove the timber from.

The headwaters of the Hiawassee, Tallulah Coleman, and Little Tennessee Rivers begin here. There are a number of waterfalls and tributary headsprings feeding some of the best trout streams in the State. The upper elevations of these streams contain natural populations of the rare and vulnerable eastern brook trout.

This area, together with the portions in North Carolina, constitutes the southernmost major concentration of more northern, often Canadian species of plant and animals. There are 54 species of plants in the area that are rare or uncommon in Georgia. Four of these occur here, and nowhere else in the State. One species is under review for Federal threatened status, and four are on the Georgia protected plant list. The area is prime reproductive habitat for turkey, grouse, and black bear. Eastern cougar almost certainly occurs. Even though there has been no absolutely irrefutable evidence of cougar, there have been a number of sightings by reliable observers.

The area was ranked by the Georgia RARE II Environmental Council as number one ahead of all other Georgia areas proposed. It ranked first in the areas of significant plants and animals, first in original environments, and first as to its value for scientific study.

The Ellicott Rock Wilderness addition is an isolated area of rugged relief and several cliffs. The land drains into and surrounds portions of the Chatooga Wild and Scenic River. There are 13 species of plants in the area that are rare or uncommon to the State. Two of these occur nowhere else in the State. Five species are on the State protected plant list.

In relation to the other areas proposed for wilderness, the RARE II Environmental Council ranked the Ellicott Rock Wilderness addition as third for animals, and fourth for original environments and value for scientific study.

Thank you.

Senator JEPSEN. I thank you.

Now, Andrea Timpone, president of the Friends of the Mountains, Clayton, GA.

You may proceed.

STATEMENT OF ANDREA TIMPONE, PRESIDENT, FRIENDS OF THE MOUNTAINS, CLAYTON, GA

Ms. TIMPONE. Thank you for inviting me here today.

Wilderness has been perhaps the most misunderstood word in the north Georgia mountains. Ever since RARE II, during which many misconceptions were formed, it has been generally thought that residents of the mountainous areas of north Georgia were opposed to any wilderness designation in the National Forest. With rumors such as the closing of hunting and fishing areas and the condemnation of private lands for inclusion in the wilderness areas, it is no wonder that north Georgia residents came out in opposition to RARE II and wilderness. In fact, the two became synonymous. I am here today to represent the mountain constituency that is in support of wilderness—and it is a growing group in north Georgia.

I am fortunate enough to live within a half hour drive of the magnificent proposed Southern Nantahala Wilderness of Senators Nunn and Mattingly's bill, S. 2773, and I believe that this area, as well as the proposed Ellicott Rock addition, is eminently worthy of the protective status that wilderness designation provides.

These wilderness areas will provide us all with the opportunity to hunt, fish, hike, and camp in a wild setting. In the community in which I live, bordering the proposed Southern Nantahala Wilderness, there are many bear, hog, deer, and turkey hunters. They are most uniformly in favor of preserving this last wild backcountry as a breeding and natural refuge area for large game.

Several local camps and statewide outdoor recreation and environmental education programs that I know use the proposed Southern Nantahala Wilderness for their adventure and education programs. It is an outstanding resource for these businesses.

The steep, scenic terrain of both Ellicott Rock and Southern Nantahala does not easily lend itself to timber management practices. Tourism is attracted to Rabun County, in which the majority of these two proposed wilderness areas lie, because of its scenic beauty. This tourism makes up over half of the county's commerce. Wilderness protection of these two areas will ensure the preservation of some of the most outstanding scenic areas of the county.

The imprint of man's work—clearcutting, pesticide use in timber management that contaminates our water and land, increasing development of our mountain areas, potential mining and oil and gas exploration, and more and more roads—is seen increasingly throughout the Georgia mountains. North Georgians are becoming more concerned with these issues, and are beginning to understand that wilderness may be the only way to preserve some of the land that they value as part of their heritage and of which they are protective. We believe that if these areas are not protected soon, irreversible changes; roadbuilding, logging, et cetera, will occur that will ensure that these areas will never again have the values of wilderness.

We support S. 2773, and recognize that this is a brave step in the right direction to preserve some of the natural areas in north Georgia, and hope that this is only the first of many proposals to come for our State.

Thank you.

Senator **Jepsen**. Thank you.

And I would just ask the panel for a confirmation of what I believe to be true, and that is that there are not any objections to this from any—on any organized effort in Georgia, is that correct?

Mr. **Kerr**. We are not aware of any.

Senator **Jepsen**. Not that you are aware of. So for all intent and purposes this bill, as far as Georgia is concerned, is a noncontroversial——

Mr. **Kerr**. That is correct.

Senator **Jepsen**. All right. That is unusual, you know.

Mr. **Kerr**. Well, the controversy has been there. We have had our moments.

Senator **Jepsen**. I see. How many years have you been working on this?

Mr. **Kerr**. I started, personally, on this about 10 years ago. I was a computer consultant, and as a result of the Southern Nantahalas, I eventually got out of the computer field and became the executive director. So it has been a long effort.

Senator **Jepsen**. We have had a series of these bills this year, and it has been refreshing. Maybe that is not totally adequate, but refreshing to sit and chair a committee where, not in all cases, but in most cases, there has been a period of long, arduous, controversial give and take, and all kinds of hard work. These bills have been brought together, by members of organizations that are usually, automatically on the opposite sides of the fence, and in an adversary relationship with each other. They have come together and ironed these things out on a local basis, statewide.

I have pointed to these things in public speeches that I have made as an example of what really America basically is all about, if people will quit pointing the fingers and trying to fix the blame for things, so on and so forth. But instead go ahead and identify the problem, and then agree that you are going to resolve it, and then go ahead and agree to disagree on things, and work them out, and I have seen that in this whole area, not only in your State, but in others around the country, and it has been refreshing.

Mr. **Kerr**. North Carolina is an excellent example of that.

Senator **Jepsen**. I congratulate you, and thank you for coming today, and I can assure you that your proposal will be given immediate and active attention.

Mr. **Kerr**. Thank you, sir.

Senator **Jepsen**. You are welcome. Have a safe trip home.

The Chair has been advised at this time that Senator Warner is on his way, and in the interest of coordinated and organized effort here, we will take a 10 minute break, and then we will resume.

[Short recess.]

Senator **Jepsen**. We will call this meeting back to order.

At this time the Chair will advise the hearing and the members that the two Senators, will be heard first, and then we will call up the two Congressmen. At this time I would welcome my distinguished colleagues, Senator Trible and Senator Warner. Senator Warner and I are classmates, and are on several committees together, we have done a lot of work together. Senator Trible is one of the bright young stars on the horizon here in the Senate.

I would like somebody to verify this for me. I was told that the State of Virginia either consumes and purchases, or both, more agricultural products in 1 year than the entire European Economic Community.

Senator **Warner**. We will have to verify that for the record, Mr. Chairman.

Senator **Jepsen**. In all seriousness, that is interesting. I think we sometimes, in our scramble to internationalize agriculture, which is the name of the game, we fail to look domestically at what we have by way of market potential. I would like to take advantage here, for the record, to have someone on your staff check that out for me.

The Virginia bill, S. 2805 and H.R. 5121, would designate over 56,000 acres as wilderness, and over 25,000 additional acres to be studied for future wilderness consideration.

I would advise the witnesses that as chairman of this subcommittee, I have received over 30 letters asking me to support the wilderness designation, and about 5 letters asking for further study, rather than wilderness designation at this time.

So, whereas the other two bills have been noncontroversial, the ones that we are hearing here today, Mississippi and Georgia, there has been some controversy with the Virginia bill. However, that is why we are having the hearing, and in all good faith, everybody will be heard, and their comments will be made a matter of record.

The Chair would advise my distinguished colleagues that their prepared remarks will be made a matter of record. You now may proceed in any manner you so desire. In keeping with Senate tradition, we will start with the senior Senator, Senator Warner.

STATEMENT OF HON. JOHN W. WARNER, A U.S. SENATOR FROM VIRGINIA

Senator **Warner**. Thank you, Mr. Chairman and members of the Committee.[1]

Mr. Chairman, first we would recognize and welcome our two colleagues from the House of Representatives, Mr. Olin from the Sixth Congressional District, and Mr. Boucher from the Ninth. I am also informed that we have two members from the Virginia State Legislature here, Delegate George Allen from the Charlottesville area, and I believe Delegate Bill Wilson from the Covington area.

Am I not correct on that?

Thank you.

Mr. Chairman, I shall be brief, because we have presented you and the committee staff with a careful analysis of the bill that my distinguished colleague Mr. Trible and I have put together.

This bill follows in some respects the initial bill submitted by our colleagues, who will shortly testify, following us. Nevertheless, Mr. Trible and I carefully incorporated two sections of the bill, which I will refer to shortly, to try and strike a more even balance.

As the Chair pointed out, in our State there are considerations on both sides of this issue. The reason that Mr. Trible and I took a careful amount of time was to hear from all of those constituents, and indeed, we have patiently listened and evaluated, and taken into consideration the perspectives that bear on this piece of legislation.

On the 27th of June, Mr. Trible and I introduced S. 2805, entitled the Virginia Wilderness Act of 1984. This bill, we believe, reflects a very delicate balance between the desire to preserve Virginia's natural state, and the need to promote economic growth. It is the result of years of hard work.

Many interested Virginians, including sportsmen and environmentalists, industrial, property owners, State and local officials, the chambers of commerce, the councils, boards of trade, all sorts of people, have taken an active role in this, and I commend them, because it is that spirit of Government that I believe fabricates the best legislation. Before reaching a decision on this bill I hiked through a number of these areas, I visited with the local residents, in town hearings, and met with the various officials of the U.S. Forest Service, and others who have cared for these properties for many, many years.

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[1] See p. 77 for the prepared statement of Senator Warner.

Drafting of the legislation involved extensive discussions, as I mentioned, to insure the fairest possible alternatives. I truly believe, and I think also my colleague with me, that this bill assures that present and future generations of Virginians will have the opportunity to visit Virginia and live there and share in this wilderness without jeopardizing jobs today or the jobs in the future.

Senate legislation differs from the legislation introduced by our colleagues in the House in two very important ways.

First, it prohibits the establishment of buffer zones around the wilderness areas. As the Chair understands fully, there is a tendency to try and first set aside the area itself, and then expand around it in some manner, which in effect is tantamount to enlarging. Although we do not believe that is the intention of the Virginia wilderness proponents, we have included the buffer zone language to satisfy the fears of concerned parties.

The second area in which we have added to this bill is that it directs the Forest Service, in conjunction with the Environmental Protection Agency and the State of Virginia, to study what effects the designation of Barbours Creek, Shawvers Run, Rough Mountain, and Rich Hole as wilderness areas will have on Covington, VA.

Opposition to Virginia wilderness designation has centered primarily on fears that Congress might in the future upgrade all wilderness areas to class I.

So, Mr. Chairman, I put out a challenge to Virginians presently and to future generations of Virginians, to hold the U.S. Senators to the obligation of not letting these areas be transformed to a class I designation; in that way I think we can strike the balance.

Mr. Chairman, there are other parts of my statement which I will ask to be incorporated in the record. We have here members of the environmental groups who will, I am sure, represent to the Chair and the committee that it is their intention to abide by this balance, and that they do not seek to have these areas transformed from class II to class I.

Given the present political considerations, Mr. Trible and I pledge, so long as we are privileged to serve Virginia in the U.S. Senate, that we will not let that happen. Indeed, we are joined by environmental groups who likewise do not encourage such a transformation.

I thank the Chair.

Senator **Jepsen**. Thank you, Senator.

Senator Trible.

STATEMENT OF HON. PAUL S. TRIBLE, JR., A U.S. SENATOR FROM VIRGINIA

Senator TRIBLE. Mr. Chairman, first let me thank you for your kind words of welcome, and let me also thank you for your courtesy in promptly scheduling this hearing today.

As Senator Warner has said, in drafting Senate bill No. 2805, we have spent many, many hours in meetings with diverse groups. We have spoken with State officials, county boards of supervisors and chambers of commerce, conservation groups, the Forest Service, and with opponents of wilderness designation as well.

S. 2085 strikes a balance between the protection of areas of unique natural beauty and the economic development our citizens require. Our bill preserves Virginia's unique, unspoiled areas while permitting economic growth and industrial expansion in the Shenandoah Valley and southwestern Virginia.

The bill places roughly 56,000 acres in 11 areas into the National Wilderness Preservation System. Nine of these areas were recommended for wilderness in RARE II: Beartown, Little Dry Run, Lewis Fork, Little Wilson Creek, Kimberling Creek, Thunder Ridge, and Peters Mountain in the Jefferson Forest; and Ramseys Draft and St. Mary's in the George Washington Forest.

The 10th area, Mountain Lake in the Jefferson Forest, was recommended for further planning in RARE II. The area's study is now complete and the Forest Service endorses Mountain Lake for inclusion in the Wilderness System. This area, along with Ramseys Draft and Peters Mountain, were designated in the Eastern Wilderness Act of 1975 as wilderness study areas. The 11th area is a 200-acre addition to the existing James River Face Wilderness Area; currently Virginia's only permanent wilderness area. All 11 areas have been managed as wilderness since the early 1970's; many have been untouched by development activities since the creation of the national forests in Virginia.

These areas possess exceptional wilderness qualities: Virgin stands of hemlock and spruce; mature hardwood forests; large populations of black bear, Virginia white-tail deer, wild turkey, and other species. The Appalachian Trail and native trout streams traverse a number of the areas. The recreational and sport opportunities for hunting, fishing, hiking, and camping are exceptional. Individually and collectively, these areas deserve the protection of permanent wilderness status.

An additional four areas comprising 25,000 acres are designated as wilderness study. The study designation protects them from development activities and preserves their wilderness qualities, while the Forest Service continues to study them for possible future inclusion in the National Wilderness System. These areas are: Rough Mountain and Rich Hole in the George Washington Forest; and Shawvers Run and Barbours Creek in the George Washington Forest. Rough Mountain and Rich Hole were recommended for wilderness in RARE II; Shawvers Run and Barbours Creek were designated as nonwilderness. We include the last two in our bill because of strong local support for their wilderness designation.

The acreage placed into permanent wilderness designation by this measure is less than 4 percent of the National Forest lands in Virginia, and less than 1 percent of the total land of Virginia.

I see two overriding reasons for the passage of this legislation. First, we owe it to future generations to provide unspoiled wilderness areas

Second, the Forest Service is currently managing almost a quarter of a million acres in Virginia's wilderness. Thirty-two areas were studied for possible inclusion in the Wilderness System. Our bill would give permanent or interim wilderness status to the choicest 14 areas, and return the rest, 157,000 acres, to multiple use management by the Forest Service.

The 157,000 acres which do not possess significant wilderness qualities may have oil and gas reserves or mineral deposits. The areas contain valuable timber stands. It is important that these economic resources be available now to the citizens of Virginia. Without passage of this measure, this acreage would be managed as wilderness through the end of the next forest planning cycle in 1995.

In Virginia there is strong support for this measure. However, industry has voiced concern about the future of expansion in areas adjacent to wilderness. Some fear an upgrade from class II to class I under the Clean Air Act. However, a thorough study of the law and the facts convinces me that it is inconceivable that an upgrade could occur.

As my colleague has said, Congress recognizes that decisions about industrial expansion and air quality controls should be left to the States. The Clean Air Act gives sole authority to the Governor to upgrade an area within a State.

In Virginia's case, here all parties: National and Virginia environmental organizations, the Governor of Virginia, both U.S. Senators and area Congressmen, oppose an upgrade of air quality standards from class II to class I in the wilderness areas.

However, in an effort to put to rest any final fears about the impact of wilderness designation on economic development, our bill requires the Secretary of Agriculture to investigate the impact of air quality standards on the four study areas. The Secretary is required to report his findings to the Congress in 2 years. This study will provide us with a basis for appropriate action in the future.

So, in this way, Mr. Chairman, we have tried to balance the important interests at stake, we have tried to respond to the concerns raised by many of our fellow citizens.

I believe this bill is a balanced approach to wilderness preservation in Virginia. It is the culmination of years of discussion and compromise among all interested parties, and I would strongly urge you and your colleagues in this committee to proceed swiftly to approve this important measure.

Thank you.

Senator **Jepsen**. I thank you gentlemen for your testimony.

Senator **Warner**. Mr. Chairman, I want to thank you, I have always valued your friendship.

Senator **Trible**. Thank you.

Senator **Jepsen**. Now, Hon. James R. Olin, Representative in Congress from the Sixth District of Virginia, and Hon. Frederick C.

Boucher, Representative in Congress from the Ninth District of Virginia.

Gentlemen, would you please decide between the two of you who will go first?

STATEMENT OF HON. JAMES R. "JIM" OLIN, A REPRESENTATIVE IN CONGRESS FROM THE SIXTH DISTRICT OF VIRGINIA

Mr. OLIN. Mr. Chairman, we really appreciate the opportunity to testify this morning on the Virginia Wilderness Act of 1984, that the two Virginia Senators have introduced.

I have a complete statement for the record, and I think I would just summarize some of the key points, trying to avoid, as much as possible, redundancy from what has been said.[1]

I too think that this legislation is sound, and it strikes a very good balance between the need to ensure that future generations have access to natural wilderness areas, and the need to ensure that economic growth is not threatened.

I think that both Senator Warner and Senator Trible ought to be congratulated for the additions that they have made to the bill passed by the House, and would indicate that these additions are viewed favorably. We support them, and I think they improve the bill.

The designations in the Senate bill are identical in acreage, and in detail to the House bill, with one small exception, there are 40 acres added to the existing James River Face Wilderness Area, and this was due to an oversight by the Forest Service when the House bill was drafted, and I think the addition of these acres makes the new area Thunder Ridge contiguous with the James River Face in a better manner, and I certainly support the addition of these 40 acres.

As Senator Warner mentioned, the Senate bill differs in two other respects, and I would like to comment on both of these briefly. They have added a provision that indicates that Congress does not intend to add protective buffer zones to these wilderness areas at any time in the future, and in this respect, I think this is an improvement in the bill.

It is my understanding that no buffer zones are planned presently by anybody, the Forest Service, or any of the Members of Congress, but I think that the language further states the intention of Congress that it remain that way in Virginia. And as such, I support that provision of the bill.

The other difference relates to the addition of the study provisions. In addition to the EPA and State of Virginia, it suggests that the Department of Agriculture enter into the studying of the question of the impact of the Clean Air Act on the wilderness areas adjacent, or fairly close to the city of Covington.

And I am very much supportive of this change in wording. It further clarifies our intention that a thorough study be made, and that the implications of the Clean Air Act be totally understood prior to the time that the forest study areas might be considered for designation as wilderness. This bill, of course, keeps them on a study basis.

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[1] See p. 85 for the prepared statement of Mr. Olin.

I think that the addition of that clause is favorable, and I would certainly have no objection to it.

The city of Covington, as the chairman no doubt knows, is the site of a major paper mill of the Westvaco Corp., Westvaco is a major employer in this area, and a very important source of tax revenue. I am pleased to report that Westvaco is now engaged in a major expansion of its Covington works, which no doubt the people from Westvaco will talk about. This expansion will ultimately mean the creation of considerably new jobs in that area, and of course, it is very important that that expansion continue unabated and unthreatened.

Westvaco is very much interested in ensuring that they will be able to complete this expansion under the present rules regarding clean air, which they are totally conversant with, and that their modernization will not be impeded in any way, now or in the future.

I certainly share the interest of the Senators and Congressman Boucher, in making sure that this indeed is given adequate consideration.

I have met with the Westvaco officials on a number of occasions with regard to the formation of this legislation, that is the House version of the legislation. I am well aware of their basic concern, and I too have found no reason to believe that anyone in the Congress is likely to want to move toward a class I designation for wilderness areas. Wilderness areas exist throughout our Nation. They are frequently adjacent, or close to industrial areas, and it would almost be inconceivable that such a move would be made. If it were, the reaction to it would be immediate, and the attempt would certainly be discontinued.

Congressman Boucher and I, in considering the subject with the Westvaco officials, and with the State people, thought that it would be a good idea to add further protection with the inclusion of these four so-called study areas, these are the four proposed areas that are closest to Westvaco, they range from about 15 to 20 miles away.

There is a reasonable question in the event that a class I area was ever designated, as to whether Westvaco would be in violation, that close to its operations. We think there is some evidence that indicates that even in that event, they are probably still pretty safe, but to remove all doubt we have suggested, and the Senators have concurred, and expanded on it, that we engage in a study, take a couple of years to satisfy, once and for all, what is the likely extent of Westvaco's problem in the event that class I air was ever proposed by anybody.

I think that this really responds adequately to the fears that Westvaco might have. I think there is almost no possibility that this will occur any way. If it did, Westvaco is relatively well protected.

The nearest wilderness area being established is 31 miles away. That is a little bit further than the existing James River Face Area, which is 30 miles away. The chance of Westvaco polluting areas that far away is extremely remote.

Mr. Chairman, I appreciate the opportunity to testify. This bill involves a relatively small amount of forest land in Virginia, less than 4 percent of the national forest area. It releases back about 10 percent of the national forest area for multiuse management, and it is important that that be done.

I think the legislation very closely parallels the RARE II study that the Forest Service has made. I believe the bill has the support of the administration, and I certainly encourage the committee and the Senate to act favorably on it.

Thank you very much.

Senator **Jepsen**. I thank you.

Now, Congressman Boucher.

STATEMENT OF HON. FREDERICK C. BOUCHER, A REPRESENTATIVE IN CONGRESS FROM THE NINTH DISTRICT OF VIRGINIA

Mr. **Boucher**. Thank you very much, Mr. Chairman.

I too would like to commend you as chairman of the subcommittee for your prompt scheduling of this hearing today, and for affording Congressman Olin and me an opportunity to be present, and to share our views with the committee.

I have a prepared statement which I will submit for the record, and simply summarize that statement.[1]

Senator **Jepsen**. All your statements will be entered into the record.

Mr. **Boucher**. Thank you, Mr. Chairman.

While my remarks will primarily be addressed to the provisions of H.R. 5121, which the House approved on the 8th of May, I want to stress that I fully support the provisions of S. 2805, and in particular, the three areas where that bill differs from H.R. 5121.

I also want to commend Senators Warner and Trible for their foresight and initiative and leadership in introducing S. 2805. I think that in doing so, they have clearly recognized the need to preserve in wilderness status these treasures of Virginia's natural heritage, which indeed have been carefully selected.

The wilderness bill, both with regard to the House and Senate versions, will protect 56,000 acres in the Jefferson and George Washington National Forests, constituting something less than 4 percent of all of the national forest land in Virginia. Twenty-five thousand acres of national forest land will be reserved for further study, and as Senator Trible pointed out, the bill releases for multiple use in excess of 157,000 acres, land which does have a commercial development potential, and we certainly think that that release is important, and will serve as an economic incentive in the areas where that release occurs.

All of the wilderness areas possess certain unique features. High mountain bogs, stands of virgin spruce, and other hardwoods, native trout streams, excellent bear habitat, and areas of great natural beauty. Given these unique features and the broad based desire throughout the State of Virginia to see that they are protected, the measure has curried the support of the U.S. Forest Service, the Virginia Wildlife Federation, Trout Unlimited, local governments in the areas that would have lands designated as wilderness, and Virginia's conservation community.

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[1] See p. 91 for the prepared statement of Mr. Boucher.

The House and Senate measures differ in only three respects, and I would like to briefly address these areas of difference between the two bills. The Senate bill adds 40 acres to the existing James River Face Wilderness, which if approved, would result in a total acreage of 200 acres——

Senator **Jepsen**. Excuse me. I have just been advised, and I really apologize for the interruption, that we have a vote on. To keep this going, I will ask Senator Warner to preside. I will vote, and then come back, and then you can go vote.

Senator Warner [presiding]. Mr. Boucher.

Mr. **Boucher**. Thank you, Mr. Chairman.

The Senate bill adds 40 acres to the existing James River Face Wilderness Area, for a total of 200 acres. This addition was requested by the Forest Service. It will ensure better access to the James River Face Wilderness, and I fully support that addition.

The Senate bill also directs the Forest Service, in cooperation with the Commonwealth of Virginia, to evaluate the effects of air quality designations on economic development potentials, and areas near the wilderness area. In that respect, the request very closely parallels a study that Congressman Olin and I have also asked the Environmental Protection Agency to undertake. I think it is a very appropriate addition which is made through the Senate bill. It will involve at least two other agencies in the conduct of the study, and I fully support that addition to the legislation, as well.

And, finally, the Senate bill states that there will be no buffer zones around wilderness areas, and while I believe that H.R. 5121 is clear in its sole applicability to designated wilderness areas only and not to adjoining areas, I welcome this language, which I think further states the intention of Congress in this regard.

Mr. Chairman, I think that the legislation has been carefully considered and well constructed over a very lengthy period, in consultation with those who have an interest in and use the national forests. I think it is a very worthwhile proposal, and I strongly commend it for this committee's favorable consideration.

Thank you.

Senator **Warner**. I thank the distinguished Representative from the Ninth Congressional District.

We four Members from Virginia have had, I think, an excellent working relationship, on this, and indeed we have been supported by our other colleagues on the congressional delegation. While they are not present here today, they have been highly supportive and helpful. Although this legislation primarily affects one geographic area of Virginia, it reflects the entire State's desire to achieve a balance between growth in Virginia and the preservation for future generations of these very pristine and precious areas.

Gentlemen, my one question would be, both of you have very thoughtfully expressed concurrence in the revisions or additions, however we wish to characterize them, that Mr. Trible and I incorporated in our bill.

So, is it the Chair's understanding that you two gentlemen, as the original proponents of the legislation on the House side, recognize the Senate bill in its changes, and accept those changes as written, or is there any, even fine word tuning that you would recommend?

I am trying to see what we can do to expedite and move this bill along, and this is the point at which we could do fine word tuning, or make an addition

Mr. **Olin**. I am not aware, Senator, of any provision of the Senate bill that would have the slightest objection——

Senator **Warner**. To the contrary, I think you felt they were additive in a positive way.

Mr. **Olin**. I think they are positive to the bill. I understand that the appropriate House committees have no objection.

Senator **Warner**. To the Senate additions?

Mr. **Olin**. That is right.

Senator **Warner**. Mr. Boucher.

Mr. **Boucher**. Thank you, Mr. Chairman. That fully states my view, as well. I think the three additions to the Senate bill are entirely appropriate.

In other respects, the House and Senate measures are identical, and I certainly have no suggestions for any changes beyond those that you have suggested.

Senator **Warner**. So, in terms of the contributions from the Members of Congress, the bill as drafted now and pending before this committee, is in as precise and as balanced a manner as we know how to fabricate in the legislature. Is that correct?

Mr. **Olin**. That is correct.

Senator **Warner**. I thank my distinguished colleagues.

If there is nothing further we will proceed now to hear from other witnesses.

Thank you.

We will now have a panel discussion, and we will ask all members of the panel to come to the table, please.

Edward Clark, president of the Virginia Wilderness Society, Waynesboro, VA; Gerald Schuder, Sr., chairman of the board, Trout Unlimited, Waynesboro, VA—well, perhaps Mr. Allen could be the leadoff witness, Delegate Allen.

Yes, thank you. And if he would join the panel. We are trying to move right along here. We will have Mr. Allen, and—where was I—Mr. Nash from Augusta County Board of Supervisors; and Mr. Levy, chairman, conservation committee, Old Dominion chapter of the Sierra Club, Charlottesville; David Cockress, president, Council of Outdoor Adventure Education, Virginia Polytechnic Institute; and James Loesel, chairman of the Rockbridge Area Conservation Council, Lexington, VA.

Now, all are present and accounted for, and we will have Mr. Allen lead off. As I understand from my analysis of the testimony that you submitted, all members of this panel are supportive of this legislation, am I correct in that?

[Chorus of ayes.]

Senator **Warner**. Fine. And may I say at the outset, that while it has been difficult for the Members of the Congress to try and strike a balance between the varying interests in our Commonwealth, I wish to commend this panel, and others, for having approached this goal in a very responsible way, and in particular, the letter that was submitted—in which you specifically state that it is your present intention, and indeed, future intention, that efforts from your community will not be made to increase the classification of the designated areas in this bill from class II to class I. That is the letter dated July 25, 1984, addressed to myself, John W. Warner and Paul Trible, U.S. Senators.

I thank you for this letter, and that will be made a part of the record.[1]

Now we have our distinguished colleague of the Virginia State Legislature from the Charlottesville area, the Honorable George F. Allen.

STATEMENT OF HON. GEORGE F. ALLEN, MEMBER, HOUSE OF DELEGATES, COMMONWEALTH OF VIRGINIA, CHARLOTTESVILLE, VA

Mr. ALLEN. Mr. Chairman, and for the record, members of the subcommittee, I represent Albemarle and Nelson Counties in the General Assembly of Virginia, and have come to Washington today in support of Senate bill 2805.

First, I want to put on the record something about my legislative district, which runs along the eastern slope of the Blue Ridge Mountains. Albemarle County surrounds the city of Charlottesville, and Albemarle County is the home of Thomas Jefferson in Monticello; 9 of the 11 lands designated as wilderness in Senate bill 2805 are in the national forest named after Mr. Jefferson.

Nelson County is south of Albemarle County, and you may recall the television show, "The Waltons," which enjoyed a large following across the Nation. The Waltons lived in Nelson County and, in fact, Mrs. Walton still lives in Nelson County. That should give the members of the committee some flavor of my district, which is mostly rural, but also suburban, and with much industry also, with DelMonte having a plant there, GE, Teledyne, Stromberg-Carlson, some textile mills, and Sperry.

I support the action of Senate bill 2805, which gives protection of the Wilderness Act to some of Virginia's wild natural areas in the mountains of western Virginia. These areas are currently, surprisingly enough, in virtually the same natural state as when the first settlers came into these areas.

I believe it is extremely important to set aside some areas where people today, and future generations, can enjoy natural land treasures that are unspoiled and remain free of the racket of motorized vehicles. People simply like to get away and rough it. In our ever demanding society, we cannot deny this need and opportunity to regenerate our energies.

I believe there have been some misconceptions presented to the public about the restrictions in a statutory wilderness area. In these areas, hunting and fishing will continue. Hiking, camping, canoeing, swimming, rafting, and horseback riding will continue.

The only restriction is that no motorized vehicle may be operated in wilderness areas except in certain emergencies, such as fire or extreme emergencies. Foot and horse trails will be permitted and maintained in these areas.

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[1] See p. 136 for the letter referred to by Senator Warner.

As the Senator knows, and the chairman knows, tourism is a very important part of our economy in Virginia. Hundreds of thousands of people come to Virginia each year to visit our historic battlefields, towns, homes, the Appalachian Trail, the Blue Ridge Parkway, and other natural beauties. These designated areas will enhance attraction of our natural beauty to sportsmen, campers, hikers, and those who generally like to get away from it all. These wilderness areas will be a special place for such people and will be an added selling point for our Commonwealth.

Furthermore, as most of the designated wilderness areas in our country are in the Western States, these Virginia areas will be much more accessible to the people of the South and the East who desire such an experience without the prohibitive burden of traveling clear across the country to have such an experience.

For these and other reasons, a diverse group of citizens from Virginia have endorsed the Virginia Wilderness Act. These supporters include the Float Fishermen of Virginia, Trout Unlimited, Virginia B.A.S.S. Confederation, Potomac Appalachian Trail Club, various chapters of the Sierra Club, the Virginia Council of Outdoor Adventure Education, the Northern Shenandoah Valley Audubon Society, and many other groups.

To my knowledge, no one really opposes the purpose of Senate bill 2805 as it will go into effect. The opposition that I have heard from my area and constituents is based upon a fear of stricter air classification standards, buffer areas, and logging rights.

First concerning the fear of changing the air quality designation from the generally prevailing standard of class 2 to the stricter class 1. None of the proponents of this bill, whether they be elected Members of Congress, members of the General Assembly of Virginia, the Governor of Virginia, nor any of the numerous supporting groups favor any change in air quality designation from class 2 to class 1. In fact, they are on record, and the record will reflect that, as opposing such a change.

Now, if, after passage of this bill, many of these organizations which are supporting this wilderness, Virginia Wilderness, should they change their minds or change their words, then all future wilderness designations will be in jeopardy, and the presently unwarranted fears of the opponents will then become warranted. So it is hardly in these groups' interest to change their words.

Furthermore, their credibility and trustworthiness would certainly be severely damaged. So I think that fear, so far as the words, do not need to be a worry of this Congress. Such an air quality designation change depends in part or could be changed by the General Assembly or the Governor of the Commonwealth of Virginia, and I must say to the members of this committee that it is almost unthinkable to even imagine such an action which could affect the livelihoods and attractions of Virginia for expanding and relocating business enterprises

We work hard to promote Virginia's competitiveness with the other States in attracting and keeping jobs and employment. For example, that is why we steadfastly adhered to our right to work laws.

Second, the fear of buffer zones, which could effectively expand the boundaries of the wilderness areas, has been prudently removed in Senate bill 2805 in section 7. The House bill, the House version does not have this salutory language which eliminates any fear of buffer zones around the wilderness area. But as I understand, the Congressmen support that change in the Senate bill.

Third, the fear of the loss of timber lands by some sawmills, I feel that is unwarranted. There are right many sawmills in my district, but the fact of the matter is these areas are not being logged now, they are relatively inaccessible for any sort of logging operation that would have any profit to it. If we ever got to the point that the private land and the vast acreages of National Forest land were insufficient for the supply of wood, certainly a substitute for wood would be developed. This miniscule 56,000 acres of over 1.6 million acres of national forest in Virginia is not now nor will it ever need to be a supplier of wood.

For these reasons, the foregoing reasons, and as a citizen-legislator from the Commonwealth of Virginia, I encourage the gentlemen of this subcommittee, the Senate Committee on Agriculture, Nutrition, and Forestry, and the Senate to support Senate bill 2805, which is a beneficial compromise, which was worked out wisely and, I might add, courageously by Senators Warner and Trible.

We in Virginia are fiercely proud of our history and our tradition. This bill will be another step forward in our ongoing effort to preserve a part of our natural beauty, and our sense of history.

I thank you for your attention and your efforts on behalf of our Nation.

I might add I had the pleasure of sitting with your wife and daughter a few years back when you came to Charlottesville for a Washington-Lincoln Day supper. I hope you will return again.

Thank you.

Senator **JEPSEN** [presiding]. Thank you.

You are Mr. Allen?

Mr. **ALLEN**. Right.

Senator **JEPSEN**. Nice to meet you. And thank you for your testimony and your personal remarks.

Mr. Harry Nash. Is that correct?

Mr. **NASH**. That is correct.

Senator **JEPSEN**. I would advise all witnesses to please speak directly into the microphones. The system of recording and so on necessitates that. Thank you.

STATEMENT OF HARRY NASH, MEMBER, AUGUSTA COUNTY BOARD OF SUPERVISORS, STAUNTON, VA

Mr. **NASH**. Thank you, Mr. Chairman. I appreciate the opportunity to come here today and speak in support of Senate bill 2805.

I am Harry Nash. I live just outside of Waynesboro, VA. I am married, the father of 4 children, and an independent insurance agent and a realtor. I am also a newly elected member of the Augusta County Board of Supervisors.

When I ran for office last fall, I stressed five issues in my campaign: local solutions to local problems by local elected officials; fiscal responsibility; excellence in education; quality and not quantity in industrial development, and support for wilderness designation of those areas that had been recommended in Virginia, and more particularly in Augusta County. My opponent stressed the first four themes; however, was on record as being opposed to the wilderness idea. I captured 62 percent of the vote.

Historically, the Augusta County Board of Supervisors has been on record as being in opposition to the wilderness concept. When I first heard of the wilderness issue, I too had a knee jerk reaction of opposition. It initially smacked of Federal interference, anti-hunting, anti-State rights, and just another example of the Federal Government restricting local people in activities that had been available to them. There were many conflicting reports so I decided to ask around and dig in for myself. As past president and member of the board of directors of the Waynesboro Game and Fish Protective Association, which is one of the oldest conservation organizations in Virginia, I had made many friends and contacts in the Forest Service, the Virginia Commission of Game and Inland Fisheries, the Virginia Wildlife Federation and other conservation and sportsmen groups. I also had the opportunity to work in a national forest recreation area while in high school. And while in college and immediately after college, I was a national park ranger in the Shenandoah National Park in Hot Springs National Park in Arkansas. These jobs gave me exposure to the theories of multiple use and preservation.

Having majored in history, I decided to take a look at what had happened in the past in Virginia as far as the national forests were concerned.

In the early 1900's, the people of Virginia and the East showed a great deal of interest in the forests of the East. In 1911, Congress passed the Weeks Law, which provided for the creation of national forests. This was not the case of the Federal Government dictating to the people of Virginia. It was just the opposite, permissive State legislation was passed which made possible the 547,000 acre Jefferson National Forest and the 910,000 acre George Washington National Forest. Various programs were tried in wildlife management, and in 1930, 3,000 acres of the George Washington National Forest were set aside at the request of the Commission of Game and Inland Fisheries, and were designated as Big Levels Wildlife Management Refuge.

Through the interest of local citizens and with the support of A. Willis Robertson, former chairman of the Commission of Game and Inland Fisheries, and at that time a U.S. Representative, a request was initiated to have Big Levels enlarged and President Roosevelt, through a Presidential act in 1935, enlarged Big Levels to 30,000 acres. This area contains the St. Mary's Area. This act set aside the land for the U.S. Forest Service and the Game Commission to experiment with game management. This was the first cooperative effort between the Federal Government and the State government. Much of the credit goes to local people such as Justice Cline of Stuarts Draft, and John McNair, who was forest supervisor, and also the members of the Waynesboro Game & Fish Association.

According to Judge William Snow, a member of the Virginia Commission of Game and Inland Fisheries, at the dedication of Big Levels in 1940, the original wildlife survey in this area showed five crows and a few ground mice. From an initial stocking of six pair of beavers and a small stocking of deer, we have progressed to where we are today. Deer, bear, turkey, grouse, and trout abound. None of this was easy and not all of the ideas and the regulations were readily accepted by the people. A Federal refuge, I am sure, took some getting used to.

At the dedication of Big Levels, Representative A. Willis Robertson said that:

> Without vision, men perish. We have led the nations of the world in our vision of how to turn our great natural resources of timber, iron, coal, oil, et cetera, through the means of mass production into useful and consumable wealth. Our vision of the value of our wildlife resources from a commercial, esthetic and good citizenship standpoint was slow in developing.

We have seen how quickly man can change what nature has taken years to create. I feel that the men who have drawn up this legislation, to set aside this area of Virginia for future generations, are men of vision. This legislation has drawn opposition, but Caleb Colton, an English clergyman, who back in the late 1700's probably put it best when he said:

> Works of true merit are seldom very popular in their own day; for knowledge is on the march and men of genius are the videttes that are far in advance of their comrades. They are not with them but before them, not in the camp, but beyond it.

Some of my friends and acquaintances, hunters that is, and I am a hunter, have attacked this legislation as antihunting. Being a hunter for 30 plus years, and having children who enjoy hunting, I am amazed but not totally surprised at this attack. It comes largely from an article in an outdoor publication that condemned the Alaskan lands bill, and associates anybody with it as antihunting. I think the time has come for all groups interested in both hunting and conservation to work together to better understand one another and their common goals.

These opponents to wilderness attempt to relate wilderness designation to antihunting and the loss of territory associated with some past regulation with loss of habitat. For many years, we hunters have been telling ourselves the principal problem for the future of hunting is the loss of habitat. We have, all the while been looking over our shoulder at the question of ethics. Habitat is an important issue but, as the old sportsmen clubs fade away, we are increasingly confronted by a generation of shooters who have little or no idea how to behave. These abuses of such undisciplined people is tearing apart the fiber of our recreational hunting tradition and a growing number of trained and knowledgeable sportsmen are hanging up their guns rather than compete with irresponsible and dangerous shooters. These are not my words but those of George Reiger writing in the May 1982 issue of Field and Stream.

In reflecting on his words, I wonder if we are in the twilight of American hunting. As resources get scarcer, and it becomes evident that more and more people must settle for smaller bites from a shrinking pie, hunters will increasingly jockey for position to try to make sure they get theirs.

I quote Mr. Reiger:

> A hunting license is neither a legal right nor a shopping list to the great outdoors meat barn. It is a privilege and a sizable responsibility. Yet we may lose this privilege and the growth of dignity inherent in outdoor recreation unless we do what we can to stop this unethical decay.

If we are to develop the most useful type of citizenship, we must develop sound minds in sound bodies through outdoor recreation. To those who oppose this legislation, consider the above. In actuality, this legislation will ensure bear and turkey habitat and a place to hunt them for years to come. With an increasing demand for timber, it will ensure mature oak forests necessary for them and other animals while allowing the Forest Service to manage other areas under a multiple use concept.

There are those who oppose this legislation on the basis that it will eliminate or limit industrial growth. Being a realtor, a member of the Augusta-Staunton-Waynesboro Economic Development Council, the Central Shenandoah Planning District Commission, and a realist, I recognize that quality economic growth is necessary. I am convinced that this is not a valid concern to those industries that care about the quality of life we enjoy in western Virginia. The Adolph Coors Co. has recently acquired land and announced its intention to move to the great valley of Virginia. This site is next to Shenandoah National Park and its wilderness area. The Hershey Chocolate Co. has located in our area, and one of their concerns in choosing a site was our attitude toward the environment. To those who oppose this legislation on this basis, I can only ask, what do you intend to do and do you even care about the quality of life we enjoy?

Finally, there are those who oppose this legislation on the basis "If it ain't broke, don't fix it." This is fine advice for a father to give an 8-year-old son who has dismantled a birthday watch and demolished it in the process, but this is unwarranted in view of what history has shown us has taken place in the forests of Virginia during the past 84 years. We had our turn in the 1930's to say it is broke, help us fix it.

As Paul Blandford, president of Virginia Wildlife Federation, said in his dedication speech of Big Levels Wildlife Management Area on September 24, 1940:

> It has taken the Almighty millions of years to create and make the first foot or two of top soil to which men owe their existence. It has taken the people who settled America a bare 200 years in many cases to destroy a million years of God's handiwork. It now behooves us as progenitors of generations to come to protect, conserve, and increase the blessings our fathers found here and in many cases so wantonly destroyed.

I ask your support for this legislation so that future generations yet unborn can enjoy what the men of vision of the 1930's made possible for us to enjoy today.

Thank you.

Senator Jepsen. I thank you, and gentlemen, I am going to have to take a few minutes to vote. We will recess.

I think at this time Senator Warner will be here shortly to chair. I have about 3 or 4 minutes left to vote. I will again remind and advise all the witnesses that your written testimony will be entered into the record. We do have another panel left to go and, in the interest of time, if you could, it would be appreciated if you could summarize your remarks knowing full well that every word you have written will be included in the record.

We will recess now either until I return or until Senator Warner comes back.

[Short recess.]

Senator WARNER [presiding]. The subcommittee will reconvene.

If there is no reason for the television lights, might I suggest that they be reduced.

I have spoken to Mr. Jepsen, the chairman of the subcommittee. He has engagements which he is not able to break. Consequently, I have cancelled my schedule in its entirety and will remin here to chair this hearing, to afford my constituents and others the courtesies normally and in every instance followed by this committee, as well as others, recognizing the exigencies of Senate life and our inability to predict the counting of votes and floor action. This is a very important piece of legislation to the Commonwealth of Virginia, and I am glad to have been allowed the privilege by this committee to continue to chair this hearing.

Now, as the chief sponsor of this legislation, if any witness feels that there is a conflict of interest, please make that known, and we will do our very best to accommodate the concerns of that witness. But absent that, it would be my desire to conduct this hearing in a very fair, objective, and expeditious manner to accommodate the witnesses and to proceed with legislation.

Now, I am advised by counsel that the Honorable George Allen has completed his statement. Mr. Allen, we thank you for making the journey up here today, as well as Mr. Nash who likewise has completed his statement. The next individuals comprise a panel that is quite representative of the constituency known in Virginia and elsewhere as the outdoorsmen of the world. We will now hear from them.

Mr. CLARK. Thank you, Mr. Chairman.

I am Edward Clark, Jr.——

Senator WARNER. Mr. Clark, you and I have been together in town hearings as well as other formal and informal consultations on this matter. Of course you recognize, that your statement, as well as the statements of all witnesses, will be produced in the record and considered by the committee in its entirety.

So to the extent to which you can summarize your statement, it would be appreciated by the Chair, and any other witnesses, and we will proceed along that line.

STATEMENT OF EDWARD CLARK, PRESIDENT, VIRGINIA WILDERNESS COMMITTEE, WAYNESBORO, VA

Mr. CLARK. Thank you, Mr. Chairman. That is consistent with my understanding.

I am the president of the Virginia Wilderness Committee. The Virginia Wilderness Committee is a statewide organization whose mission is to protect the natural resources of the Commonwealth through the inclusion of certain public lands in the Wilderness Preservation System.

The Virginia Wilderness Committee serves as the coordinating organization for wilderness advocacy within the State.

For me, this hearing represents the culmination of more than 7 years of personal involvement in the wilderness issue, and there are others with me on this panel who have years longer than my own. I am here today to express my enthusiastic support for the

Virginia Wilderness Act of 1984, S. 2805, and the companion measure, House Resolution 5121, the Virginia National Forest Wilderness Act, already passed in the House of Representatives by an overwhelming margin.

With the introduction of this bill, you, Mr. Chairman, and your distinguished colleague, Mr. Trible, having noted the previous refinements, you have all but ended the protracted debate which had surrounded this issue for far too long.

I would like to congratulate both you and your colleague in the Senate as well as both of the distinguished Members of the House of Representatives for the courage and initiative that you have shown in this measure and in the support which you have extended to the wilderness issue.

From the beginning, the recommendations put forth by the wilderness supporters in Virginia have been modest. This bill will designate as wilderness only about 4 percent of Virginia's million and a half acres of national forest. This proposal follows nearly exactly the findings of the RARE II environmental impact statement. And the committee has already heard from representatives of the National Forest Service that there is support from the administration for these measures.

The debate has been thorough. The airing of the views has been complete, and it is now time to move forward with the issue. In arriving at this point, the wilderness supporters have had to confront the very powerful and some very vocal opposition.

In most cases, when this opposition was encountered it was based on fear and misinformation about potential implications of wilderness designation. Whenever possible, if there were legitimate questions or concerns over wilderness designations, we made an effort to address these concerns with information and with openness. In a few cases, we found that the opposition was based in overt selfishness, irrational fear or some strong philosophical opposition to conservation measures of any type.

In a few instances, the opposition showed no interest in conciliation whatsoever. In fact, you may hear from some of these opponents yet today. Most of those who stood against the wilderness issue have been persuaded by the information that we have tried to bring forward that this issue is right and just. They have simply been overwhelmed by the sheer weight of public support.

The measure before this committee today has indeed earned the right to become law. It is now time to conclude the debate, to reconcile with our adversaries and to begin anew the work of building a better future for generations yet unborn.

With the passage of this bill and its enactment into law, a legacy will be built for the future. A gift will be prepared for posterity. In spite of the pressures of development and resource exploitation, despite the changing face of society, the areas set aside by this legislation before the committee today will remain as a testament to the farsightedness of the bill's sponsors on both sides of the Hill, to the supporters who have worked for many years to bring this effort to fruition and to the Congress which has overcome political impasse and now has the opportunity to pass perhaps more wilderness legislation than any session in recent years.

Mr. Chairman, the Virginia Wilderness Committee and the people of Virginia implore the committee to act quickly on this measure. Time is short, and indeed there are other matters to which we both must attend. Seldom does the Congress have the opportunity to enact legislation around which there is such widespread consensus.

It is our hope to have this measure signed into law in the very near future. The committee's expeditious action will help make this possible.

Mr. Chairman, my colleagues that have joined me on this panel will address the various specific aspects that bring us to the support of this issue. I trust that the case that we will present will be found to be one that is sound and one that is just.

We would like to thank you and the members of the committee for the opportunity to present our views in support of the measures before the comittee today.

And with that, I will conclude my remarks, Mr. Chairman.

Senator WARNER. Mr. Clark, I thank you for your testimony.

Just one or two observations. I had the pleasure of working with you for sometime now on this and other matters relating to the Commonwealth, and I recognize your enthusiasm. But I wish to comment on your phrase "ended the protracted debate," it has not ended.

This subcommittee will carefully evaluate the record that is presented today, perhaps allow it to be augmented for a period thereafter, and then the full committee will consider carefully the recommendations of the subcommittee. Thereafter the matter will go to the floor of the Senate at which time each and every Senator will have a right to comment on this. And I think that is important, and was alluded to by Chairman Jepsen. In contrast to the other State legislation discussed today and which appears to be uncontested, there is a measure, a very substantial and important measure of balancing to be done with respect to Virginia's legislation.

I wish to assure you and all the witnesses that this will be carefully followed.

Mr. CLARK. Mr. Chairman, it is not our intention to try to abort any debate. We simply feel that you and your colleagues have extended extraordinary efforts to fully air the issue. We feel that all sides have been given their opportunity to speak.

Senator WARNER. And I think your reference to the conciliation, those who have spoken—I am always hesitant to use the word opposition, really it is a deep-rooted concern, have done so in my presence, with a degree of earnestness and objectivity. And there has been, I think, a measure of conciliation by a wide number of groups of Virginians on this bill. Not perhaps a total movement to the position that you and others have advocated, but let us say to a recognition that this bill will move forward and that Mr. Trible and I and others have done our best to try to strike a balance.

Mr. CLARK. Well, Mr. Chairman, it is certainly our desire to continue the positive relationships that have been built. Reasonable individuals can differ in a reasonable way, and we certainly see no reason to preclude the option to work with any and all of the interested parties in the future.

Senator **Warner**. But also you commented that you have invested 7 years in pursuing this goal.

Mr. **Clark**. Yes, sir.

Senator **Warner**. And you deserve a great deal of recognition for your unwavering interest, and, indeed, it is all given gratuitously, without personal satisfaction——

Mr. **Clark**. Thank you, Mr. Chairman, but I am one individual in a large movement. Thank you.

Senator **Warner**. Now, we will proceed to our next witness, Mr. Schuder.

I want it stated in the record that I have been approached by Mr. Schuder with an offer. An offer to go fishing, and I am going to take him up on this at the conclusion of this bill.

Mr. **Schuder**. Thank you, Senator.

Senator **Warner**. I have fished in Virginia throughout my 57 years and I hope to have many more years of fishing.

STATEMENT OF GERALD SCHUDER, SR., CHAIRMAN OF THE BOARD, TROUT UNLIMITED, WAYNESBORO, VA

Mr. **Schuder**. I look forward to that trip.

I am delighted to give my testimony during a time that a Virginia Senator is acting as temporary chair of the subcommittee.

My name is Jerry Schuder. I am chairman of the board of Trout Unlimited, an international nonprofit conservation organization. I support S. 2805, the Virginia Wilderness Act of 1984.

I am here today in two roles. The first role is that of chairman of an organization of 37,000 U.S. members who philosophically support the concept of setting aside certain unique natural areas in the National Wilderness Preservation System. My other role is that of a native Virginian who has worked for the past 11 years to set aside the best of Virginia's wild areas for future generations to enjoy.

The actual conception of the Virginia wilderness bill being considered by your subcommittee took place in Waynesboro, VA, in the spring of 1973. At that time, the newly formed Shenandoah Valley Chapter of Trout Unlimited asked the U.S. Forest Service to set aside the St. Marys River as a protected roadless area. It is from that seed, nurtured by the effort and contribution of thousands of Virginians, that the present Virginia wilderness bill has grown.

The long intervening period from concept to introduction of the present bill has been a classic example of due process as it can only occur in a great democracy. I would like to highlight the process.

The first stage of the development of a Virginia wilderness bill occurred when a few individuals recognized that we were left with only a small wilderness remnant of the once vast hardwood forest that in colonial times covered the East from the Atlantic to the Great Plains. This concern grew to a grassroots groundswell as citizens of the Old Dominion, traditionally understanding the need for good land stewardship, moved to preserve a portion of what was left of Virginia's wild heritage for the future.

The leadership of the Virginia wilderness movement decided in the very early stages of formation that a meaningful wilderness bill would have to involve all individuals, organizations, governments, agencies, corporations, and others in the process of selecting areas worthy of being protected as wilderness.

A key factor in the selection process was the RARE II analysis undertaken by the U.S. Forest Service. The wilderness supporters decided to wait until the RARE II survey in Virginia was complete, in order to base our recommendations on factual information developed by the Forest Service after full public involvement. All of the 11 wilderness areas in the present bill were recommended for wilderness status by the Forest Service. Of the four wilderness study areas in the bill, two were recommended for wilderness by the Forest Service. Virginians who participated in hearings held around the State helped make the decision that led to these recommendations.

Following the RARE II process, wilderness supporters sought a broad consensus on which areas should be included in a wilderness bill. During this stage of the process, meetings were held with local governments, State government, State and Federal agencies, organizations of all types, business and industry. Every special interest group was given a fair opportunity to be involved.

As a result of the years of consultation, a series of compromises were made to assure that special concerns were addressed. The resulting wilderness recommendations contained the very best and most unique natural areas and did not compromise Virginia's economic stability or growth.

Senators Warner and Trible, to their great credit, then conducted a series of meetings and onsite tours to assure that all areas recommended in a bill were suitable in every respect. Only when they were convinced that an overwhelming majority of Virginians supported the particular areas was a bill introduced.

The Virginia wilderness bill is a moderate and reasonable way to assure true multiple-use management by setting aside approximately 3½ percent of Virginia's 1,600,000 acres of national forest for nonmanipulative management.

The 26,000 members of the organizations that compose the Coalition for Virginia Wilderness feel that the areas recommended in S. 2805 meet every test required to qualify them for inclusion in the National Wilderness Preservation System. There are no significant economic values sacrificed by preserving these areas. There will be substantial economic benefit to the localities and the State that relate to the recreational use of these areas.

In my 30 years as an active conservationist at the local, State, national, and international level, I have never observed the kind of broad-based consensus and support enjoyed by the Virginia wilderness bill. Virginians are saying that we can afford to preserve 81,000 acres of the vast George Washington and Jefferson National Forests. Indeed, we cannot afford not to. Time is running out on this vanishing resource.

Trout Unlimited respectfully requests that the members of this subcommittee join with us in the effort to save a small portion of wild Virginia for tomorrow by favorably reporting on S. 2805.

I thank you.

Senator WARNER. Thank you very much, Mr. Schuder.

Again, you have been working voluntarily using your own time and funds and we appreciate it.

Mr. **Schuder**. It has been a long process.

Senator **Warner**. Patience and time has its rewards.

We will now hear from Mr. Levy, the chairman of the conservation committee.

STATEMENT OF DAVID W. LEVY, CHAIRMAN, CONSERVATION COMMITTEE, OLD DOMINION CHAPTER, SIERRA CLUB, CHARLOTTESVILLE, VA

Mr. **Levy**. My name is David Levy. I am the conservation committee chairman of the Old Dominion chapter of the Sierra Club.

We thank you, Mr. Chairman, and members of the subcommittee on Soil and Water Conservation for this opportunity to express our views in support of the Virginia Wilderness Act.

I might add that I am a native Virginian and just came back to the State after a few years, but I have worked on other States' citizen proposals for wilderness areas, too.

The Sierra Club requests that this committee favorably report S. 2805, introduced by you and Senator Paul Trible.

I am speaking today on behalf of the 6,500 Sierra Club members in Virginia and the 350,000 Sierrans nationwide. The Sierra Club was founded nearly a hundred years ago to protect wildlands. It is in this historical context that we should consider preserving remnants of the Commonwealth of Virginia national forest lands as examples of our national heritage.

This Congress and sessions before it have designated wilderness in the Midwest, Northern Plains, and Northwest. These areas of the country were once the frontier. Virginians Merriwether Lewis and William Clark explored these sections of the country in the early 19th century. Nearly a century before the Lewis and Clark expedition, Alexander Spotswood had pushed the frontier back to the Blue Ridge Mountains and opened the Shenandoah Valley for settlers. Today, we urge you to set aside a small portion of those remaining wildlands that lie in the Jefferson and George Washington National Forests as examples of the Commonwealth's natural heritage.

Some general comments.

S. 2805 offers a commendable list of candidates for wilderness designation under the Wilderness Act. For political reasons, which others have addressed, as distinguished from physical reasons, some other desirable candidates are not included in this bill. Compromise is commonly necessary on public issues to accommodate the diversity of public interests involved. The proponents of Virginia wilderness have accepted such compromise in the case of S. 2805.

The Sierra Club wants these 11 areas kept like they are, as well as the 4 study areas, their natural qualities not to be changed by the works of man.

Mountain Lake Wilderness. The full 11,000 acres of Mountain Lake in the Jefferson National Forest has always been considered one unit even though 3,000 acres lie in West Virginia. Physically it is a single unit. The Mountain Lake Wilderness Study Area established by the 93d Congress included all the 11,000 acres. S. 2805 only contains the Virginia portion.

We encourage Representative Harley Staggers and Senator Robert Byrd and Senator Jennings Randolph of the State of West Virginia to develop a legislative vehicle by which the West Virginia portion may be added this year.

Release language. The Sierra Club worked with this committee to develop acceptable release provisions for wilderness legislation. The release language in section 5 of S. 2805 is identical to that in H.R. 5121 and is satisfactory.

Wilderness study areas and air quality study. We are confident that the study of effects on air quality by the expansion of the Westvaco Corp. plant in Covington, VA, will confirm the Virginia State Air Pollution Control Board's preliminary conclusion that designation of the proposed wilderness study areas as wilderness will not require Westvaco to meet more stringent air pollution abatement limitations. We support the study provided in section 6(d).

The Sierra Club, as well as other principal national environmental organizations and Virginia citizen groups advocating wilderness are already on record as firmly opposing any change of National Forest Wilderness Areas from class 1 to class 2 requirements under the Clean Air Act. The committee has recently been sent a letter reiterating this Sierra Club position.

Buffer zones. We accept section 7 which restricts protections of the Wilderness Act to those areas within the boundaries designated as wilderness. These protections do not apply beyond those boundaries.

The protections allowed for primitive areas in the West by the original Wilderness Act of 1964 do not apply to the areas listed in S. 2805 as wilderness or as wilderness study areas.

In conclusion, the Sierra Club supports S. 2805, the Virginia Wilderness Act. We request that you report the bill favorably to the Agriculture, Nutrition, and Forestry Committee expeditiously so that the President may sign the bill into law this year.

Thank you for considering our comments.

Senator **Warner**. Thank you very much.

I listened very carefully to each and every word of your testimony, and I picked up on several comments that you made. One, the reference to politics. In this instance and to the best of my knowledge, there were no partisan politics whatsoever involved in this legislation. In fact distinguished colleagues of the Democratic Party introduced the initial legislation and have joined with Mr. Trible and myself—well, you know the history of it very clearly.

So, from that standpoint, I do not think you wish to infer that.

Furthermore, one of the initiatives that I took in this legislation was to consult with the Governor of Virginia. I wrote him and received back his correspondence, and I also consulted with the members of his administration and also advisory groups. There were a number of advisory groups to the Governor that had very strong opinions with respect to this legislation, and I gave them careful audience likewise.

So I think—I am sure you did not have any reference to that, and I want to make the record clear on that point.

Mr. **Levy**. You are correct, Senator. My comments in this sense have already been expressed by Mr. Schuder. The Sierra Club has always respected and worked within the democratic institutions of our great Republic, although we are sometimes characterized as not appreciating those processes. And we want to make it clear that we understand that little "p" politics is a way of life; and political participation brings about the opportunity, as you have noted, for citizens to craft legislation that brings about protection of their interests.

Senator **Warner**. And then with respect to local governments. I think they have handled this in a very evenhanded manner. There have been differences of opinion between those that operate the cities and those that operate the counties. But again we have tried to reconcile that. From the standpoint of those that are coming forward on the next panel, I think their principal motivation is jobs, the protection of jobs that exist today, and the ability for Virginia to create future jobs.

So I am glad that you and I have had this colloquy in which to clear up that point.

Mr. **Levy**. I would like to point out that the Sierra Club members in the State of Washington recently have been working to help protect workers' jobs in the Tacoma area while protecting the public's health and the environment from the effects of air pollution.

Senator **Warner**. And I think likewise in Virginia you do not want anyone to lose their jobs as a result of this legislation.

Mr. **Levy**. No, sir. We have always maintained that a clean environment promotes a strong and growing economy.

Senator **Warner**. Well, I share that. Thank you very much.

We will now proceed to hear from Mr. Cockrell, president, Council on Outdoor Adventure Education, VPI.

STATEMENT OF DAVID COCKRELL, PRESIDENT, COUNCIL ON OUTDOOR ADVENTURE EDUCATION, VIRGINIA POLYTECHNIC INSTITUTE & STATE UNIVERSITY, BLACKSBURG, VA

Mr. **Cockrell**. Thank you, Senator Warner.

I am David Cockrell. I am a professor of outdoor recreation at Virginia Polytechnic Institute, Blacksburg, and also immediate past chairman of the Virginia Council on Outdoor Adventure Education.[1]

I appreciated you mentioning the concern over employment opportunities in conflict with wilderness preservation, and I wish to represent essentially two perspectives that I think our organization may express uniquely.

One of them centers on employment opportunities through designation of classified wilderness.

The first principal argument that I think we have to make, however, centers on the educational benefits that accrue from wilderness. Wilderness is not simply a type of recreation area. It is a collection of multiple uses in itself, and one of those multiple uses is education. A growing body of research is documenting many psychological benefits that are attributable to wilderness experiences.

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[1] See p. 96 for the prepared statement of Mr. Cockrell.

Such changes often emphasize personality development. For example, increased autonomy, self-reliance, assertiveness, compassion, self-concept improvement, enhancement of group problems solving skills and socialization, achievement motivation, environmental awareness, and a number of other effects.

In Virginia, evaluation research has been conducted on the Norfolk Wilderness Challenge School by the Virginia Division of Justice and Crime Prevention, and on the Virginia 4-H Wilderness Challenge Program, a study which I conducted in 1983, and these—both of these studies have shown improved self-concept and school performance resulting from participation in wilderness programs by youth.

Now, the traditional clients for these modified outward bound programs have been disadvantaged or predelinquent youth. However, changes in funding priorities and recognition, I think, in this profession of the broad societal demand for adventure and challenge have caused outdoor educators to take their services to other populations.

Inner Quest, Inc., and the Outdoor School, both private enterprises in Herndon, VA, both provide effective education and skills training in wilderness on a contract basis with school groups. Inner Quest and the Growing Edge, another private enterprise in Richmond, assist in executive effectiveness training for large corporations based in wilderness studies.

Washington Women in the Outdoors and Great Encounters, two Washington, DC, groups, offer women's programs designed to build wilderness skills and self-confidence.

Additionally, the counties of Chesterfield, Montgomery, as well as the municipalities of Blacksburg, Danville, and many others have parks and recreation departments which conduct wilderness trips for recreational and educational purposes. The current expansion of organized educational wilderness use in many segments of society is evidenced by the recently revised U.S. Forest Service outfitters and guides policy, which now treats educational and therapeutic use of wilderness as a special category of use, new in 1984.

Let me return briefly to our second point, which is that wilderness classification would ensure, rather than impede, employment opportunities for our dynamic and growing educational profession. Additional employment in wilderness trip leadership could in fact offset at least in part lost employment from sacrificed opportunities for resource harvesting. Therefore, wilderness in Virginia per se is currently a social and psychological and educational resource that is measurable in economic terms.

In 1983, the 35 organizational members of the Virginia Council on Outdoor Adventure Education were estimated to employ 105 full-time professionals and 350 seasonal employees. Individual outdoor educators in the Council employed in organizations not choosing to affiliate as a unit constituted another 77 positions. At least nine of Virginia's institutions of higher learning have employed faculty or staff with responsibilities, including wilderness trip leadership. Four of these institutions, Virginia Tech, Radford University, Ferrum College, and Dabney-Lancaster Community College, in fact, offer degree programs in outdoor recreation and education, preparing students for entry into this profession. Thus, some 550

Virginians received a portion of their 1983 income from employment in outdoor adventure education, and many of these affiliated in some way with the Virginia Council on Outdoor Adventure Education.

This industry is clearly small in Virginia, and it is struggling for recognition and acceptance. It is a growing industry, however, and it has thrived during a period of privatization fostered by Reagan administration reductions in grant funding. While adventure educators use such activities as whitewater rafting and paddling, rock climbing, ropes and initiatives courses, the basic educational or therapeutic tool remains the wilderness experience. Thus, the economic backbone of adventure education in Virginia, as well as in other States, is a wilderness system that is accessible to the professionals who employ wilderness experiences in social services.

To summarize those two points, I think we may uniquely, there are educational benefits which are documented in research literature that accrue from wilderness use, and there are employment benefits already existing in this State which will be enhanced by the passage of this legislation.

Thank you.

Senator **Warner**. Thank you.

Mr. Loesel.

STATEMENT OF JAMES LOESEL, CHAIRMAN, ROCKBRIDGE AREA CONSERVATION COUNCIL, LEXINGTON, VA

Mr. **Loesel**. Mr. Chairman, thank you for the opportunity to appear before you in favor of S. 2805.

My name is James Loesel. I am testifying for the Rockbridge Area Conservation Council, a 300-member organization which looks at conservation issues in our local community.

The proposed wilderness areas of Thunder Ridge, Rich Hole, Rough Mountain, and St. Mary's River are in or near Rockbridge County.

Senator **Warner**. Let the record show that I know these areas, I have frequented them for over 40 years.

Mr. **Loesel**. We love these special places, as I am sure you do, and we want our children and grandchildren to experience them also. However, our support for wilderness designation comes only after careful examination of the facts.

The James River Face, now the only national forest wilderness in Virginia, lies largely in Rockbridge County. The administration of this area has proved you can turn a wasteland into a community asset, and we believe adding other carefully selected areas to the Wilderness Preservation System will produce additional local benefits.

These proposed wildernesses are popular with thousands of Rockbridge County, Lexington, and Buena Vista residents. Washington and Lee University, Virginia Military Institute, and local high schools use them as outdoor classrooms and laboratories. The Natural Bridge Learning Center, ROTC units, and scouts use these rugged places to build character.

Senator, it seems to me that perhaps you may have gone to some of these areas.

Senator **Warner**. I did.

Mr. **Loesel**. The Natural Bridge Soil and Water Conservation District recognizes the value of watershed protection through wilderness designation.

We examined the Forest Service RARE II evaluation sheets for nearby areas. We saw that wilderness designation would not "lock up" needed timber, mineral or water resources.

And we looked in great detail at the claims by Westvaco Corp. that enactment of this law might cause higher air quality standards and somehow cost jobs or limit economic expansion.

First, we found no evidence that wilderness designation would lead to upgraded ambient air quality standards by the Commonwealth of Virginia. The Governor opposes such change. The Rockbridge Area Conservation Council joins the Virginia Wilderness Committee, the Virginia Wildlife Federation, Sierra Club, Trout Unlimited, and the Conservation Council of Virginia in opposing such redesignation. We believe the best deterrent against such change is strong united opposition to it.

Second, we found no evidence that Congress has any interest in mandating class I standards for national forest wilderness lands created since 1977. You and Senator Paul Trible, Congressmen Frederick Boucher and James Olin, and the House Interior and Insular Affairs Committee have all strongly opposed such change. We know of no environmental or conservation group with an agenda for such change.

Third, we asked the Virginia Air Pollution Control Board, the agency responsible for administering the Clean Air Act in Virginia, to conduct a "worst case" study. Using the best data available, they concluded that the existing air standards around the Westvaco plant in Covington impose far greater constraints than any theoretically revised standards in wilderness areas 10, 20, 30, 40, or 50 miles away.

Fourth, according to the Air Pollution Control Board, 37 industries have received permits for construction and expansion near the two existing class I air quality areas in Virginia. No permit has been denied.

Next, Westvaco has produced no evidence that complying with air standards has or might cost jobs. They continue to install additional pollution control equipment at their Covington plant to comply with existing regulations.

Finally, national parks and wildernesses have been established near many cities and industries. We have heard no evidence that cities and industries near them have experienced expansion difficulties. On the contrary, the cities of Waynesboro and Staunton have gone on record unanimously supporting additional wilderness designations even though they are located only 3½ and 12 miles respectively from the Shenandoah National Park, which has the class I air standards which Westvaco claims are such a disaster.

We have looked at the evidence and we have concluded that Westvaco's fears are without substance.

The Rockbridge Area Conservation Council believes the facts support giving wilderness protection to all areas, including Rich Hole, Rough Mountain, Shawvers Run, and Barbours Creek, but we have no objection to further study designation of those four areas closest to Westvaco if the additional time and study will eliminate doubts and fears. We support especially your provision of S. 2805 calling for the Forest Service to conduct this study in consultation with the EPA and Commonwealth of Virginia.

I thank you for this opportunity to present our evidence, and we hope that this subcommittee will join our conclusion that this bill deserves speedy passage by the Senate.

Senator WARNER. The first question is directed to all witnesses. Have you had a fair and adequate opportunity to express your views?

[The panel nodding heads.]

Senator WARNER. Let the record show that each witness present has indicated his assent.

Second, are there any changes, either technical in nature that you would suggest to the pending bill?

[Chorus of "nays."]

Senator WARNER. Let the record show that all witnesses indicate in the negative.

May the Chair and Senator Jepsen and the staff of this committee express appreciation to each and everyone of you for taking your time to come forward and to provide very important testimony which will be carefully considered by the Senate in its evaluation of this bill and eventual action on it.

Thank you very much.

I recognize it is a volunteer effort and nonpaid.

We will now have the next panel. This panel will be led by the distinguished member of the house of delegates, the Honorable William Wilson, Commonwealth of Virginia, from Covington, VA. He will be joined by Jack Hammond, plant manager, Westvaco, Covington; Keith Gary, offroad activities coordinator, Virginia Four-Wheel Drive Association, Richmond, who will be accompanied by David L. Hook, member of the board of directors; Lester L. Cherry, executive vice president, Greater Alleghany Highlands, chamber of commerce, Covington, VA; and Cecil Boggs, president of the Virginia Bear Hunters Association from Waynesboro.

Now, gentlemen, first a procedural inquiry.

This hearing is under the cognizance of the subcommittee of the Senate Agriculture Committee, Mr. Jepsen chairing this hearing. For the moment, he is detained elsewhere, and through senatorial courtesy, I am present here.

First, does anyone wish to express any procedural reservation they might have in the manner in which this hearing is being conducted?

Let the record show that all——

Mr. WILSON. Mr. Chairman, let me say that I am fairly new at appearing before congressional hearings, and I think this makes the second or third one that I have ever been to. We were at one on the House side, and there was 1 member of a 37-member subcommittee. And I remember at the time commenting that that did not seem fair to me. And today we have come here to be heard by a subcommittee, which I understand consists of six members, and we have gotten to the point where we are being heard by only the patron of the bill.

Now, I am delighted to be able to tell you what I have to say on behalf of my constituents, but I do not want to sit here like a dummy and not reply to your question—and tell you that it does seem a little bit inappropriate, maybe that is a good word, that we have come to talk to the subcommittee and we are not talking to a member of the subcommittee or the committee, as I understand it, but to the patron of the bill.

But I am just delighted to tell you what I have to say, if that is all right?

Senator **Warner**. I feel, in view of that representation, I will have to recess the subcommittee, and consult with the chairman of the full committee and the chairman of the subcommittee to determine how and under what circumstances we could continue the hearing.

I will do my very best to contact both as expeditiously as I can, and I ask that this committee stand in temporary recess.

[Recess.]

Senator Jepsen [presiding]. We will now have the last panel, William T. Wilson, house of delegates; Jack Hammond, plant manager for Westvaco; Keith Gary, off-road activities coordinator, Virginia Four-Wheel Drive Association; Lester Cherry, executive vice president, Great Alleghany Highlands; and Cecil Boggs, president, Virginia Bear Hunters.

The Chair apologizes for any embarrassment that it might have caused by the Chair not being here. The Chair would advise the panel that historically and with great precedence in the Senate, we try to approach things in a bipartisan manner. And many times, as is fitting with our society and the way our Government works, it is not a bad idea to have the representative from the individual States where the problem is being presented to preside or attend the hearing.

The Senate in its conduct and deliberations relies very, very heavily on the direction and the advice of the individual Senators from individual States. That is the way it has always been, and it was with that in mind this morning that I initially had Thad Cochran, who is from Mississippi, hear some of the Mississippi delegation, and the Senator from Virginia hear some of the testimony presented by Virginians. But the Chair does apologize for any embarrassment that it might have caused anybody on the panel. And we will now proceed with this, and the Chair recognizes the Honorable William Wilson, House of Delegates, Commonwealth of Virginia, and advise him that his remarks will be entered into the record as if read, and he may proceed in any manner he so desires.

STATEMENT OF HON. WILLIAM T. WILSON, MEMBER, HOUSE OF DELEGATES, COMMONWEALTH OF VIRGINIA, COVINGTON, VA

Mr. **Wilson**. Thank you, Mr. Chairman, Senator Warner, ladies and gentlemen.

My name is William T. Wilson. I represent the 18th House Legislative District, which is Covington, Clifton Forge, the counties of Alleghany and Botetourt, and a small piece of Craig, which I am not quite located yet. I just got redistricted.

I am also a member of the Izaak Walton League and the Alleghany Game & Fish Protective Association. And I live in Covington.

Most of our people——

Senator WARNER. The record might show that you are counsel to the company——

Mr. WILSON. I represent Westvaco from time to time in different legal matters, and so do all the other lawyers in town from time to time. I do not represent Westvaco on this issue.

Senator WARNER. For which you receive remuneration.

Mr. WILSON. That is correct.

I also represent members of organized labor from time to time, and just about everybody else in the general practice of law.

Senator WARNER. In your judgment is there any question as to the fairness and objectivity of these proceedings and the ability of witnesses to convey their opinions?

Mr. WILSON. In which hearings?

Senator WARNER. In the hearing conducted thus far.

Mr. WILSON. Well, only to the extent that I mentioned before, and that was, as I mentioned at the outset, I am not used to the congressional procedures.

Normally, at the Virginia Legislature, when you go before a subcommittee or a committee, the members of the committee or subcommittee are there, and they hear the evidence. It is a rare thing—in fact, I can never recall it—where a patron of the bill becomes the subcommittee. And so that—you asked the question and that was the reason I responded to you as I did.

Senator WARNER. The function of the chair is to compile a record in a fair manner for consideration. That will be done here with the Virginia Senator and the chair, and I wished to question whether you felt that there was any indication of a lack of fairness and objectivity in which the hearing was conducted by the Senator.

Mr. WILSON. Only to the extent that I mentioned, and that was that I thought that I would be talking to the members of the subcommittee.

Senator JEPSEN. That is not the question the Senator asked. If you could, I would appreciate for the record if you would answer the question.

Did you question his integrity and fairness?

Mr. WILSON. Oh, no, not at all. I think I said that.

Senator JEPSEN. His fairness?

Mr. WILSON. Not a bit. I mean he was chairing the meeting but he is a patron of the bill, and he is taking the position that he has worked with some of the other Members of the Congress and they have worked out some agreement. They are all in agreement. I understand that. I understood that when I came up here, and I told him I would be more than happy to tell him the same thing I was telling the subcommittee, but the reason we are up here——

Senator JEPSEN. He has cleared the record. That is all. That is satisfactory.

There is no charge that there was any question either of the credibility or the integrity of fairness of the Senator from Virginia?

Mr. WILSON. None at all. And if I implied that, I apologize. But what I said is what I said.

Senator **Jepsen**. Proceed.

Mr. **Wilson**. Mr. Chairman, what I will tell you—and my statement is very short and I have it here for you—I can but just summarize in the interest of time.

On the end of the legislative district I represent, there are some 25,000-plus people. In 1980, Hercules Corp., which was located in Covington, had a fire. It was a $25 million fire, and I know Senator Warner remembers it; 800 people were laid off in 2 weeks. Those people, for the most part, have not been rehired. They have either found jobs elsewhere locally or they have moved away, and many have moved away.

This bill has presented to them a real fear as to what may happen economically if these areas go from class II to class I, and nobody knows the answer to that. I realize that Senator Warner says as long as he is here, he will fight it every way that he can, and Congressmen Olin and Boucher say the same thing. I understand that.

But just as I cannot guarantee the future, neither can they, and we are concerned about that. We are appreciative that these amendments have gone on. If the bill must pass as it is now worded, we appreciate the fact that at least part of these wilderness areas are put in the study.

What I would ask the Senators to do, and the Congressmen, is to accept further amendments which would put the two wilderness areas in Augusta County in the study. There is a line drawn of about 25 to 35 miles, and it is within that line that these proposed wilderness areas going into the study are contained.

So far as I know, and I have asked and inquired, there is no scientific basis for drawing that line. As a matter of fact, the evidence that is given to me is to the contrary, and that is that the impact on a class I wilderness zone could be as far as 50 or 60 miles.

Now, when we started discussing this in the very beginning, I picked up the telephone and I called the Virginia State Air Board and I talked to Mr. Daniels there. Mr. Meyer is the executive director. Mr. Meyer wrote me a letter, and I have it attached here to my statement.

The thrust of the letter, and I will not take up the time to read it, but the thrust of that letter——

Senator **Warner**. What is the date of that letter?

Mr. **Wilson**. The letter is from Mr. W.R. Meyer, M-e-y-e-r, executive director of the State Air Pollution Control Board. It is dated April 5, 1984.

The thrust of that letter is that this matter of what impact Westvaco and other industries will have on these wilderness areas needs to be studied, and it can only be done by setting up monitoring systems and getting that information.

Now, if the premise of the bill is correct, and I submit that it is, and that is that these zones may go from II to I, even though many think it unlikely, then if we are going to put these zones within 25 miles into a study, why does it not make sense to put the other two into the study until we know what we are doing. And that is the problem.

Now, I have heard it said that the proponents of the wilderness bill do not advocate that the zones go from class II to class I. I accept that. Even if you put that language in the bill, you do not prohibit a future Congress or a future Governor from making that change in classification, but you certainly put in some sort of cement the intent of Congress that it not be done. And I would hope that whatever you may do, if wilderness areas are created in this bill or any bill, that you would put that language into the bill. It seems ridiculous to me, after the economic quandary we just came through and are still coming through, to let the tail wag the dog.

These wilderness areas possibly control our economy. Westvaco is spending $500 million in total capital outlay in the next 5 years. That is the biggest thing that has ever happened over our way. It is one of the biggest things that has ever happened in the Commonwealth of Virginia.

Two of our Governors, Gov. Mills Godwin and Governor Dalton, have stated that they are against the wilderness concept. And I have talked to both of them. They are against it. Governor Robb has taken sort of a "hands off" position. You have his letter in the file. But it is not as positive one way or the other as maybe either side would want.

But I point out to you that two former Governors of Virginia have been against it.

I would ask Senator Warner, No. 1, to accept an amendment, or to prepare and submit an amendment that would put all of the wilderness zones near Covington, which would be the ones that are already in there, plus the two in Augusta County, into the study and let us find out what we are doing before we act.

In addition, I would ask that if wilderness zones are created, that language be put in there that would prohibit those zones going from II to I.

And I thank you, Mr. Chairman.

Senator **Jepsen**. Thank you.

Mr. Jack Hammond, plant manager——

Senator **Warner**. Mr. Chairman, I have a copy of the letter of April 5 from the executive director of the Commonwealth of Virginia State Air Pollution Control Board. I ask that it be made a part of the record.

My understanding that Mr. Meyer, executive director, is an appointee of the Governor of Virginia to that board, is that not correct?

Mr. **Wilson**. Yes, sir, that is correct.

Senator **Warner**. And I also would like to include the letter from the Governor of Virginia of May 30, 1984, directed to me, which, of course, is subsequent in time to this letter written on behalf of an entity of the State government.[1]

The Governor of Virginia apparently did not refer to this letter. Presumably we have to assume that he had it, had the advice of his State Air Pollution Control Board at the time he wrote me, and indeed a copy to Senator Trible on May 30. So the Governor was aware of the statements and representations in the letter of April 5 from Mr. Meyer but made no reference to them in his letter on the 30th.

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[1] See p. 82.

I have to accept the representations of the chief executive officer of the State as speaking for the State government.

Mr. **Wilson**. Mr. Chairman, if that is a question, I will tell you what I know about that letter.

Senator **Warner**. Which letter?

Mr. **Wilson**. The April 5, 1984, letter from the air board.

I called Mr. Daniel. He saw Mr. Meyer, and Mr. Meyer wrote the letter, dated April 5. I got the letter 1 month later because the letter was sent over to Secretary Diener for review. I called Secretary Diener and said I would like to have that letter. She said it will not go out without the approval of Senator—I mean of Congressmen Olin and Boucher.

I went to the Governor's office, and I talked to David Cloud, his chief assistant, and I talked to the Governor, and I told him of the letter, and I told him I would like to see it and I thought they ought to see it. And I asked them if they would get it for me.

One month later, only because the Governor's chief assistant, David Cloud, directed that it be done, I got a copy of that letter. And the Governor knows about it. He has seen that letter. I would prefer that the Governor take a more positive stand. I would prefer that he recommend that this go into a study, but he put the ball back in your court. I do not agree with that. I told him so, but that is what happened.

Senator **Warner**. Well, your petition for this amendment was also made to Messrs. Olin and Boucher, and they declined on the House side.

Mr. **Wilson**. That is true. As a matter of fact, your amendments are a sizable improvement on the bill, and I am glad that they are willing to accept those. But I am here to advocate that we go even further.

Senator **Warner**. Thank you, Mr. Chairman.

Senator **Jepsen**. Mr. Jack Hammond, please.

STATEMENT OF JACK HAMMOND, PLANT MANAGER, BLEACHED BOARD DIVISION, WESTVACO CORP., COVINGTON, VA, ACCOMPANIED BY THOMAS R. LONG, VICE PRESIDENT AND GENERAL LEGAL COUNSEL

Mr. **Hammond**. Thank you, Mr. Chairman, the Honorable Senator Warner. We are pleased to present our testimony to you and whomever else is willing to listen.[1]

My name is Jack Hammond, and I am manager of Westvaco Corp.'s bleached board operation in Covington, VA.

I am accompanied today at the hearing by Andrew Dreszer, Dr. Leo Mulcahy, Tom Long, who is our corporate legal counsel, and John Callihan, who is our corporate public relations counsel. These last two gentlemen are from our corporate office.

We appreciate the opportunity to testify in partial opposition to S. 2805, as introduced, a bill to designate certain public areas in Virginia as additions to the National Wilderness System. We urge for the reasons stated, and that we shall further elaborate on, that five additional areas be designated for study.

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[1] See p. 117 for the prepared statement of Mr. Hammond.

Our concern is that at some future point, as has been pointed out over and over here, that those areas could be redesignated to a class I air attainment quality area. Let me emphasize that this bill, as it exists, is not to us a problem with wilderness. Wilderness is not the problem. Westvaco is not the problem.

The unencumberable linkage between air quality standards and the wilderness area is the problem in our mind, and we hear and believe and give full credibility to the people issuing statements that in no way will they support a redesignation from class II to class I.

However, while we appreciate those statements by a number of people, including members of the Virginia delegation, that they would oppose any class I redesignation, two facts should be noted.

First, their successors may not share their views, and I have lived in Virginia a great portion of my adult life, and I have seen a number of views passed through our Commonwealth. In general, very substantial considered views, but I have seen some pretty off the wall views passed through as well. So we do have concern there.

Second, and more importantly, a Virginia Governor could selectively redesignate any one or more of these areas to a class I status. A broad brush approach to me obviously and logically is not as great a concern as a rifle shot, and as the powers that govern us be, our concern is that a rifle shot could redesignate one of these areas in a way that would be unnoticed by many until some kind of retribution had to be made. Now, whether it could be or would be, people would be willing to, that gives us grave concern.

The point being that the impact upon Virginia and neighboring West Virginia, and we are hearing from there as well, since many of these areas directly border our two States, there are concerns there. And as was pointed out by you, Senator Warner, that we have been copied by the Governor on a reply to the Senator that was asking for assurance from our Governor's office that the areas would not be redesignated, and our Governor, current Governor, refused to get into the fray. And I think Delegate Wilson has covered that adequately.

Westvaco's Covington operations are the economic lifeblood of our area. We do have on the drawing boards $500 million worth of expansion plans. We have already launched a $180 million expansion. That is the largest investment our corporation has ever made.

We are charged with making sure that that does come to fruition, that it does produce the results that are necessary to be able to support that type of investment. The balance of that investment, while it is part of the program and a program was put into being as a total program, but is being approved economically in segments, the balance of the dollars have not been approved. The concept has been approved, our basic approach has been approved, and we full anticipate carrying it out. And this has been approved by our board of directors and the chairman of our board is in favor of it. But the money has not been approved.

I would, at this time, like to introduce my colleague, Thomas R. Long, Westvaco vice president and general counsel, to indicate in a more detailed way why certain additional areas should be designated to further study.

Mr. LONG. Mr. Chairman, Senator Warner, it is a pleasure to be here. I am the company's general counsel——

Senator JEPSEN. Would you please try to speak directly into the microphone?

Mr. LONG. I am the company's general counsel. For many years, I have been involved in environmental matters, representing the company, well acquainted with the linkage between the Clean Air Act and wilderness. I have also worked extensively on PSD studies and I have worked with EPA, State officials, and with the scientists that are involved in these studies. So I think that I have an understanding of what is involved environmentally at the Covington mill.

At the outset, let me comment on something that was said by one of the proponents of the bill. They indicated that, to their knowledge, class I had never inhibited economic growth or development. I would ask them to visit the city of Charleston, SC, and listen to the citizens of that city who are very much concerned about an area called Cape Romain, class I. The fact that it is a class I area makes it impossible for new growth to locate near Charleston. And the citizens at the present time are working on redesignating that area.

But back to Covington. At the present time, there is no scientific basis for determining the impact of the Covington mill emissions on any of the proposed wilderness areas. It was for this reason that the four areas within 15 to 20 miles of the mill were wisely designated for further study.

Senator Warner, you outlined a sound approach to the study, but it can and should be extended to other areas.

One might legitimately ask what is the scientific basis for drawing the line of concern so close to the mill in S. 2805? What about the other areas that are between 32 and 50 miles of the mill? Might not redesignation impact these areas? The fact is no one really knows.

The question is will the Congress provide the time needed to conduct a soundly constructed, scientifically reliable, meteorological monitoring program? We have already started work on this program but we need time to finish.

Furthermore, current EPA practice would dictate looking at air quality impacts within 60 miles of the Covington mill, not 15 or 20 miles. Why should Congress do any less?

I would like to emphasize these points. We all know weather is a chaotic system. When you couple this with the mountainous terrain of western Virginia, long-range transport of the plumes, and you begin to see the problem we are dealing with. It is a monumentally complex task to predict how plumes are going to move around a mountain. To express this mathematically as required in a PSD study is really testing the frontiers of science. To attempt to do this in the absence of data, as S. 2805 implies, really defies the imagination.

A PSD study is required when an operation like Covington expands or increases its emissions. It requires that the air quality impact be estimated for great distances downwind. Because of the stringency of the class I standard, the impact can still be very significant, even at great distances. This is true for large sources, and in situations where you have plumes from several sources that merge and impact on a particular area.

For example, we were involved in a recent study in another location, the PSD study was conducted after gathering extensive amounts of onsite meteorological data, and the modeling work shows that there was a significant impact on a class I area 42 miles away. So I think we have a legitimate basis for concern.

The PSD analysis is very complicated. A key requirement is the presence of actual onsite meteorological data which is representative of the wind speed direction, mixing depth in the area. We do not have that at the present time.

The actual steps that are required in a study are laid out in our written statement. It is complicated, extensive, and I will not bore you with going through them. I think that the key item here is that the EPA requires a look at a 60-mile radius. None of the steps have been taken at the present time so we are really speculating on the impact of a class I designation of the Covington mill.

We recognize wilderness is popular, but we think it is only reasonable that we move forward on the basis of sound science. As Jack said, the problem is not wilderness, it is not Westvaco, the problem is the linkage between the Clean Air Act. As long as that linkage exists, we think that any designation of new wilderness should be done very carefully, after very careful evaluation of all the facts and circumstances.

We heard today the congressional delegation is against redesignation. The Governor may or may not be against redesignation. But, in my experience, nothing is inconceivable. We should not rely on speculation and good intentions. Designation of new wilderness should be done only after careful study of all facets.

We therefore propose that additional areas be included in the study category, and this does not—this is not going to harm the wilderness. They will be treated like wilderness, but the potential harm to Covington's future will be averted. I think further study is a situation where everyone wins and no one loses.

A couple of other points.

We think that an important piece of this study is already underway. There was a ninth circuit decision in 1982 that pointed up some inadequacies in the enforcement of the RARE II analysis that we understand the Forest Service has undertaken to restudy each area's suitability. This study will be completed, we understand, by the end of the year.

If this bill passes, the process now well underway, will have been in vain. Would it not be wiser to wait for the results of both studies?

We have another concern. Section 5(b)(1) of the bill bars any judicial review of the RARE II final environmental impact statement with respect to these Virginia areas. We believe this denies the citizens of Virginia and West Virginia legal remedies that were afforded other States. I think this should be deleted as a dangerous precedent that undermines the environmental purposes of NEPA. Indeed, one might consider whether sequential referral to the

Senate Environment and Public Works Committee might not be in order.

We therefore ask that five additional areas within roughly 50 miles of the bill named in our prepared statement be included in the study category, and that section 5(b)(1) be deleted.

Thank you very much.

Senator JEPSEN. May I ask what is the potential concern of Westvaco? Is it that you may be prohibited from further expansion or refinement of your Covington plant?

Mr. LONG. That is our ultimate concern. If there is an expansion, it will increase emissions from the plant, and we have to ask further studies.

Mr. HAMMOND. Let me just elaborate very quickly.

It does not have to be Westvaco. It can be anyone within the area that takes up the increment so it does not have to be just us. It can be others

Senator JEPSEN. Now, the air quality standards, first of all, are the air quality standards, I assume, different for class I versus class II?

Mr. HAMMOND. Yes, about 20 times more stringent.

Senator JEPSEN. And the air quality standards of class I, are they the maximum, pretty close to the zero tolerance?

Mr. HAMMOND. Twenty times more restrictive in the increment for increased emissions in a region are very, very small and, in some cases, have not been set yet.

Senator JEPSEN. And where are air quality standards that would be typical of a class I designation usually found or applied instances? Are they commonly found in this type of situation?

Mr. LONG. Congress, in the Clean Air Act, has provided the emissions in the class I areas are not to be increased by more than so much, and once that increment is used up, there could be no further increases in emissions for whatever reasons. So the Congress has set the limit.

Senator JEPSEN. For my edification, let me give you an example then following what you just told me.

Does this same principle rule apply for example, to the place where there is a lot of emissions. I do not want to name any town, they will get in trouble. Let us say there are concentrated emissions in the air, that would be 50 times that of Covington, would the same rule apply there that they cannot produce more than *x* percentage increase in emissions?

Mr. LONG. There are different rules for class I areas and other areas.

Senator JEPSEN. The areas where there is heavy concentrations——

Mr. LONG. But in no case can national ambient air quality standards be exceeded. So if there is an area where there is a lot of smoke, there may not be enough headroom, if you will, to consume the increment that is allowed in that area. But the allowable increment, assuming there is headroom, is much greater outside of these class I areas, and that is why we believe that we can expand and we have the headroom to expand in Covington.

Senator JEPSEN. We have had something—the reason I am asking you that, to get in focus here, we had something similar in my home State of Iowa where we denied a lot of industrial expansion right in the center of my State because of the air quality standards that were put on them because of dust particles. That was coming down from the Dakotas.

You know, it cannot be eliminated, it cannot be eliminated unless we eliminated North and South Dakota. We would not be able to exist, and that is a fact. So I am most sympathetic to something, if it does not really—that is why I was trying to get a better picture of it. But Senator Warner knows the picture better.

Senator WARNER. Thank you, Mr. Chairman.

I have spent a little bit of time studying it, and I wish to compliment the witnesses because I think they have correctly stated the law.

But I would ask them to review some of their statements.

First, the rifle shot concept by a Governor. My reading of the law and regulation is that there has got to be a considerable forewarning by a Governor of an upgrade attempt. Public hearings would have to be held, the Federal land manager consulted and other things must be followed so there is an extensive procedure by which all segments that might be affected by an upgrading from II to I would have an adequate opportunity to be heard.

Now, do you concur in that observation?

Mr. HAMMOND. Let me just tell you what I meant by rifle shot, and then maybe Tom can elaborate on the procedural technical aspects.

My reference to rifle shot was to differentiate between the situation whereby someone like Senator Humphreys had thoughts of doing certain things that would take certain areas to Class I. That was not a rifle shot. That was very broad based. It was obvious, it came to light, he looked at it, changed his mind. That is not a rifle shot. But, to me, if you took a small area in Virginia, for instance a Thunder Ridge which is already class I, or an adjacent area, and said, OK, we would only designate St. Mary's, for instance, as I. The interest in St. Mary's would be highly localized and, therefore, might not raise the visibility of that issue to the point where it could more readily be done than to say we will take all Virginia wilderness areas and put them in class I. Everybody here has said they are not interested in that, and I think that would raise a cacophony of opposition. A rifle shot may not do so. That is what I was referring to in that concern. Not so much a regulatory aspect but the lack of visibility and interest that can kind of whistle through and nobody catches it.

Senator WARNER. We agree then on the interpretation of law, the regulation that a Governor has defined procedures that he or she must comply with, and that those procedures allow the widest possible participation by all affected parties.

Mr. HAMMOND. My understanding is that upon recommendation of the land manager and approval of the Governor, it can be done. It does not mean that it is not allowed to have broad discussion. I do not know that it forces it. I am not that familiar with it.

Senator WARNER. Well, I have researched it rather carefully, and the Governor has to analyze the social, health, environmental, and economic implication of an upgrading. There has to be public hearings and, indeed, the Federal land manager consultation.

But going back to your hypothetical case of taking a single area such as St. Mary's, and upgrading it from class II to class I. Public response to this bill has not just come from people located in the areas affected by this bill but also from people as far east as Norfolk, and the State chamber of commerce. There has been no shortage of full statewide participation in the deliberation of this particular piece of legislation, I assure you.

And I am confident to believe that if St. Mary's were to be zeroed in by a Governor of Virginia, that the same constituency from east to west and north to south would express themselves. We may have a difference of viewpoint but——

Mr. HAMMOND. I am sure that you are right in what you are saying. However, and I do not know the numbers, but the 1977 Clean Air Act amendments did in fact designate numerous areas as class I. And I can tell you that our former congressional Representative did not know that that was the case when he voted for the bill. That much I do know. Because we found it later and asked him about it. And your colleague Susan was on his staff, and he said I did not realize that. That is what we are concerned about. We are not concerned about light of day decision.

I think they get very clearly made. They get very democratically made. It is the myriad of situations in our Government that must be dealt with, many of them far more important for me and others than this issue. So priorities are set, properly so, but we have to live with those priorities as they affect our daily lives in the highlands, as well as folks here in Washington, DC.

Mr. LONG. If I could just add a word on that.

I think our point is that the Governor of the State can initiate the process. Yes, there are some procedural hurdles to get through, but how that process is going to come out, no one can predict at this point in time.

Senator WARNER. Well, when it comes to selecting their future Governors, and indeed their future legislators, Virginians should be certain to understand the views of their candidates on this issue.

Now, looking at it from a national perspective, again my study shows that—how many bills, Mr. Chairman, are we likely to have in this session alone of the Congress—quite a few, perhaps—more than 20 bills. This large number of bills and, in all probability, new wilderness sites is a form of insurance. When wilderness air quality levels were placed in the class I category several years ago the number of sites involved were smaller than now. In view of the current amount of legislation, and the vast areas of the United States involved now, if someone in the Congress were to initiate an arbitrary upgrading from II to I, I think you would have an outpouring of objection; such an upgrading would just literally strangle a major segment of our industrial base nationwide.

Mr. HAMMOND. Let me respond in a positive way in that I have absolute confidence that what you are saying is true. However, these things do not happen in a nice orderly way. They happen in insidious small ways, and I do not think that the fact that our steel industry is running at 40-, 45-percent capacity is unrelated to some of the laws that have been passed previously.

I have ultimate confidence in the Senators here, I have confidence in the environmental representatives here, I cannot predict the future, and I have seen the ball take some awfully funny bounces, and ultimately the taxpayers and employees and workers of this Nation suffer. So they are the ones that we all should be concerned with.

Senator WARNER. Yes, and I fully recognize that you are here indeed representing a corporation that provides gainful employment for many thousands of individuals, particularly those in Virginia with which we are concerned. And you are speaking for them.

Mr. HAMMOND. Well, I am speaking for them, but I am speaking for them more than myself because——

Senator WARNER. That I recognize.

Mr. HAMMOND. Because many of them have highly specialized skills, and if Westvaco, Covington failed to exist, and we came very close to doing so, by the way, because we fought long and hard and spent the equivalent of $80 million on environmental issues, so we are not at all apologetic about our environmental posture. We are very proud of it, and we have a lot to do and we are going to continue to do it. But if Westvaco, Covington failed to exist, my guess is within a reasonable period of time, I can go elsewhere. Many of our employees do not have that choice. They are very specific, talented, artful papermakers, and they cannot go down the road and get a job. Their concern is my concern.

The lumber people that take care of providing our needs, and if you look at our area, we have been consuming 5,000 tons a day in our plant for a number of years, you can fly over in any kind of aircraft that you want, drive through in any kind of vehicle you want, and it is not denuded. It is very beautiful. It is there.

So to take a prudent posture here and keep these areas in study for a couple of years, for 6 months or whatever period of time, we can do, we do not think is an imprudent request.

Senator WARNER. Let us narrow our discussion because I think there are many areas in which we have a mutuality of agreement on these issues.

Now, the bill itself does not affect, so long as it is class II, your present expansion plans and possibly your future?

Mr. HAMMOND. Yes, sir, that is correct.

Senator WARNER. It is the possibility, as you might categorize it, of going from class II to class I? Sometime in the future that concerns you.

Mr. HAMMOND. Yes.

Senator WARNER. And, therefore, you want to push out to a radius of 50 miles, the study radius of approximately 20 miles established by this legislation and indeed the parallel legislation of the House?

Mr. HAMMOND. Yes, sir. That was kind of used as a guideline for the radius.

Senator WARNER. There is an existing class I wilderness area located approximately 30 miles from Covington.

How would you benefit from a 50-mile-study radius, whereas under the existing Federal statute you have to comply with air quality for the existing class I area at a point roughly 30 miles out from Covington.

Mr. Hammond. The issue in point is that we really do not know. To answer your question quite frankly, we do not know. However, the probability of having an impact is doubled if you look at James River Face, when you include Thunder Ridge, it is doubled by that arc.

Now, data will show whether our concerns are founded or not founded because the data will show the prevailing winds, the mixing zones and the impacts. We do not have that data so we cannot in fact say that we now need be concerned about existing James River Face or additional Thunder Ridge. It may turn out to be that that is not a valid concern. It may turn out it is a very valid concern which we may have to address by some economic input into further processes in our plant. We are willing to do that if it turns out that way. We have limited resources and cannot do that only because we are not sure what the answers are right now.

All we are asking is to give the time to determine. If it turns out that we have to do things, we are going to do them. Our corporation has always functioned that way.

Senator Warner. But again in the words of your own colleague, the chief counsel, the air plume circulates over a 360° arc throughout the year albeit there are prevailing directions from time to time. In all probability, therefore, you are going to have effluent from your plant passing over the existing class I area.

Mr. Long. That is yet to be determined, Senator.

Senator Warner. You dispute that there is a 360° air pattern here?

Mr. Long. I really do not know.

Mr. Hammond. Well, assume you are correct. The standards are such that there are 3-hour concentration limits, there are 24-hour concentration limits, and there are annual concentration limits.

Senator Warner. I am familiar with those.

Mr. Hammond. A 360° pattern, whether it would in fact cause a—going outside of the standards or not, for any of those given categories, we do not know, because we do not know at what velocity, if the velocity is very high, very low, we are not sure what would happen. That can be determined.

Senator Warner; Thank you.

Senator Jepsen. Anything further?

Mr. Hammond. No. We appreciate the time that both of you have spent. We know you are very, very busy and we appreciate it.

Senator Warner. Thank you. Thank you very much.

Senator Jepsen. That is what we are here for.

I am not an attorney——

Mr. Long. That may be a plus.

Senator Jepsen. Well, you all said it; I did not. But, in any event, I have been in business a long time, most of my adult life. It seems to me that the record that has been built today is very helpful. I commend you for the materials that you have provided and the way the information was presented. It would be very difficult for a lay person not to have gotten the impression from all of the testimony today, both prior to this time and during your presentation here, that everyone is equally concerned and sympathetic toward the ultimate goal, for you, and for everybody concerned.

I sense that as an Iowan listening to all these Virginians, you all may have the same end goal in mind. But there are some things that could be shored up and nailed down by statute as you have suggested. Others are saying it is not necessary, and not to worry. You are saying that if you are that sure about the decision, what is wrong with putting it in the statute? Would you agree?

Mr. HAMMOND. That is basically what we are asking.

Senator JEPSEN. Fine. Well, I think the record will basically show these concerns.

The Chair will now recognize Keith Gary, off-road activities coordinator, Virginia Four-Wheel Drive Association, Richmond, VA, accompanied by David Hook, member of the board of directors.

I would ask just out of curiosity, Mr. Gary, is a four-wheel-drive association, is that a national association?

Mr. GARY. No, sir. We are a statewide organization.

Senator JEPSEN. Very interesting. You may proceed.

Your written testimony will be entered into the record. If you can possibly summarize it, we would appreciate that.[1]

STATEMENT OF KEITH GARY, OFFROAD ACTIVITIES COORDINATOR, VIRGINIA FOUR-WHEEL DRIVE ASSOCIATION, RICHMOND, VA, ACCOMPANIED BY DAVID L. HOOK

Mr. GARY. We would like to express opposition to H.R. 5121 and S. 2805 which designates 11 areas in Virginia as Federal wilderness areas, and four additional areas for further study. These bills are not in the best interests of the majority of users of the national forests. The boundaries have not been well planned to preserve access to the remote regions of the national forests. Many of the areas are not roadless, and the included items such as occupied structures and cemeteries on private land make these areas wilderness by exception.

The Virginia Four-Wheel Drive Association, a statewide organization of clubs and individual four-wheel-drive owners, advocates a policy of multiuse management. Primitive and unique sections of the national forests can be conserved and enjoyed through careful management. The Jefferson National Forest states in their users survey that the largest single group of national forest users at 17.8 percent is motorized vehicles. The second largest group of users at 13.1 percent is big-game hunters, who also require the use of unimproved roads and Jeep roads to effectively hunt in remote areas. In contrast, the only group of users who will benefit from wilderness designation is hikers at 8.1 percent. The national forests are equally valuable for hiking whether they are designated wilderness or not, except that as designated wilderness the areas will be locked off such that few other groups can use them.

Executive Order 11644 recognizes the rights of four-wheel-drive owners, who now number about 12 million, to access to the national forests. The administrators advocate a policy favorable to access, but at the same time have used RARE II to close nearly 60 percent of the unimproved roads and Jeep roads. Many of these closures are on very flimsy grounds. This is a tragedy to the recreational opportunities in the national forests.

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[1] See p. 146 for a letter from Messrs. Gary and Hook to Senator Jepsen.

There are particular inconsistencies that we have raised and the Forest Service has refused to address. We have illustrated these points in our presentation to the staffs of Senators Warner, Trible, and Helms, and submitted information packages to each Senator on the committee.

A cemetery exists inside the Little Wilson Creek designated area as well as an occupied structure. These appear on the USFS maps as well as the Troutdale quadrangle map. The Jefferson National Forest states that these do not exist inside the designated area. In Lewis Fork designated area an access road to a new occupied structure is cut off in two directions by the wilderness area boundary. The structure is just outside of the boundary but its access road is included inside the boundary. This can be seen on the White Top Mountain quadrangle, but the Forest Service says it doesn't exist.

The boundary of Beartown designated area lies outside the Jefferson National Forest boundary on the USFS map as well as the Hutchinson Rock quadrangle in the vicinity of Hutchinson Rock. The Jeep road on the top of Clinch Mountain inside of Beartown designated area could have been kept open by the deletion of only a few acres.

The Forest Service states that the Appalachian Trail conflicts with this trail, but the Appalachian Trail lies several miles to the east on top of Chestnut Ridge. In the St. Mary's designated area a section of the Big Levels Trail is cut off by the boundaries of the wilderness area where the most logical choice of boundary location would have preserved this access road. It is now inside the St. Mary's designated area, yet it is legally open at the current time, shown by the copies of pictures submitted to the committee members.

An improved gravel road which has been closed since about 1970 runs up the center of the Ramsey's Draft designated area. The George Washington National Forest Service states that the fords on this road are washed out, yet the pictures of which you have a copy show conclusively that only one ford is eroded sufficiently on one bank to be impassable to four-wheel-drive traffic. The other ford that is not passable is blocked by a fallen tree. Numerous manmade improvements exist, such as culverts, an old bridge abutment in the stream and several concrete dams in the stream. There are several campsites in the middle of the road near bench marker 2914 that are littered with broken glass and garbage as shown in photo pack of Ramsey's Draft and St. Mary's which has been submitted to members of the committee.

The Ramsey's Draft area is clearly not roadless. We cannot see how anyone could possibly experience wilderness conditions walking up a gravel road. Furthermore, this access is unavailable for emergencies such as fire, but if the area burned it could not be replanted. It would have to be left a burnt-out wasteland.

According to the RARE II guidelines, there can be no nonnative vegetation in the area. How is the introduction of nonnative trout to what is supposed to be a native trout stream appropriate to the concept of designated wilderness?

In the Peters Mountain designated area, neither the USFS or the Interior and Lindside quadrangles show the Appalachian Trail on Peters Mountain. A recent relocation of the Appalachian Trail completed in 1970 placed it on a Jeep road that had already been in existence for a generation. The Forest Service claims a user conflict on this issue. We also feel it is not sensible to locate a designated wilderness area 1½ miles from a surface limestone mining operation and lime plant at Goldbond, VA.

In the Mountain Lake designated area the John's Creek Road is legally open. This Jeep road is within the designated area boundaries and is passable to stock four-wheel-drive vehicles, not just high clearance vehicles equipped with winches as stated by the Forest Service. The road is clearly marked not suitable for passenger cars, which leaves no doubt as to what vehicles should not attempt this road. The John's Creek Road represents the only vehicle access to a remote section of a powerline which cannot be approached down either side of the valley.

The Forest Service states that this trail causes damage to the John's Creek native trout stream because of poorly constructed fords. The John's Creek Trail never fords John's Creek. Several small tributaries are crossed on rocky and sandy fords, which cause no significant damage to John's Creek. Adjacent farms and the John's Creek Reservoir are far greater threats to a trout stream.

In the Mountain Lake designated area, Potts Mountain unimproved road and Jeep road is currently open, by the legal standards stated by the Forest Service. There are no gates or signs at the junction with State Route 613. The Jefferson National Forest Service states that the Potts Mountain Trail is closed because of a user conflict with the Appalachian Trail. This section of the Appalachian Trail was moved in a westward relocation completed in 1955 and revised in 1975. However, the Jeep road has existed since the early 1900's, and Virginia 613 has existed since before the Civil War. Clearly, the Jeep roads should remain open because this access rightaway is established because of adverse possession.

The Forest Service frequently uses the Appalachian Trail and an imagined conflict as an excuse to close Jeep roads and unimproved roads. The Appalachian Trail is constantly undergoing changes in route. Recent changes in southwest Virginia were completed in 1955, 1970, 1975 and 1980. In the central and southern Appalachian Trail guide there are over a hundred instances where the Appalachian Trail is routed onto and coincident with all grades of roads, from Jeep roads to four-lane highways. No one expresses a desire to close several miles of U.S. 11 and U.S. 220 near Roanoke, or Virginia 42 or U.S. 460 near the Mountain Lake area because of user conflicts. If there are no user conflicts here, then it is impossible for there to be a user conflict on a Jeep road with minimal traffic.

We would like to reaffirm that we do not oppose wilderness per se if it is truly unique roadless wilderness. We have been willing to compromise and have even advocated additional areas such as the headwaters of John's Creek and the Cascades, which are far more unique than any part of the designated Mountain Lake Area.

In all cases, but one, we have requested small deletions to preserve Jeep roads, and provide access that would make the remaining wilderness area more valuable. It would leave almost all of the designated areas intact, and make them truly roadless, a condition that does not exist at this time.

We oppose the usage of RARE II to close most of the Jeep roads and unimproved roads which number about 60 percent at this time, rather than the 4 percent that some people would have us believe.

The wilderness designation will add more costs to manage areas some of which already lie in protected areas, like the Big Levels Game Management Refuge and the Mountain Lake Scenic Area. Also, wilderness designation will benefit few, and deny access to the vast majority of users of the national forests. Hunters will be denied the access to remote areas which will make these of lesser usefulness.

The elderly and handicapped citizens will not have useful access to these areas. Some of these designated wilderness areas are posted closed to horseback traffic, or have gates that would not allow entrance of horses.

No one seems to want to address this question. How can a native trout stream be stocked in a wilderness area and remain a native trout stream, or be appropriate to the untouched natural state that designated wilderness is supposed to be?

The Jefferson National Forest confirmed to us that a designated wilderness area could not be replanted after a fire. An infestation of gypsy moths or other parasites cannot be controlled as in the case along the Appalachian Trail in the Shenandoah National Park.

In conclusion, we feel that a policy of multiuse management is the least costly and most beneficial way to conserve and enjoy the national forests, and ensure that they will be there for future generations to experience. If these areas are to become full wilderness areas, the remaining land should be released from further consideration. The present release language expresses only a vague intention that there will be no further RARE studies. We feel the hard-release language is a better substitute because under the present language we feel that RARE III can and will become a reality.

We thank you for the opportunity to present our views on this issue.

Senator JEPSEN. I thank you.

Do you have any questions, Senator?

Senator WARNER. It is my understanding that the points you have raised regarding structures and boundaries have already been addressed by the Forest Service and transmitted to you; are you aware of that?

Mr. GARY. Yes, sir.

Senator WARNER. And we can include in the record, their response in order I think, to permit an analysis of the two issues. I thank this witness for coming today but ask that he respond to the fact that this bill will release 157,000 acres of Virginia forest from its present RARE II protective structure. This release will give you about three times more area than you are losing for the four wheelers by the establishment of 11 new wilderness sites.

Mr. HOOK. Senator, I would also like you to address the problem with about 60 percent of the Jeep roads and unimproved roads still being closed.

I am a former resident of the Giles County area, and this has given me an opportunity to see Forest Service management close at hand over a long period of time. It is not my experience that the Forest Service generally reopens areas that are closed off, and I do not believe this would be the case with the 60 percent, and this 4 percent, and also the amount that is going to be released, we feel, is not going to be reopened substantially.

Senator WARNER. I will be happy to address that, but I asked the witness to comment on the fact that under this bill approximately 157,000 acres of forest are being released for multiple-purpose use which includes four-wheel usage, as opposed to the withdrawal of approximately 56,000 acres for wilderness preservation.

Mr. GARY. Well, as Mr. Hook stated, there is an estimated 60 percent of the unimproved roads and designated Jeep, or reroutes closed between the Jefferson and George Washington National Forest, and that is not only in these areas, that is also outside of these designated areas, in this legislation. As Mr. Hook stated, we do not feel that they will be released as far as opened up to ORV traffic, if upon passage or nonpassage of this legislation.

Senator WARNER. Well, that is a matter that is in the discretion of the Forest Service, and as I understand it, their future proposed management plans will soon be made available to the public for comment. It is really beyond the purview of this bill and discussion, I believe, Mr. Chairman.

I do not say this in a manner of contesting the witness' legitimate concern, but it is a matter that has to be addressed to the Forest Service.

Mr. GARY. Well, the Forest Service, as you state it, which we have a copy of the reply that they sent you, just on some of the issues, I do not have it before me to quote them, but they basically just acknowledged some of the points we pointed out in our point-by-point piece. They did not elaborate in it, they kind of used a "stonewall-type" effect, and blanket statements, such as the statement that all of the fords at Ramsey's Draft are washed out, which is not the case. We have personally visited, and hiked the area ourselves, and have photographs of the areas, and we do not see how all of the fords are washed out.

I mean, there is one, which with significant erosion, that we feel would not be passable to a stock four-wheel-drive vehicle. The Mountain Lake Area, if it is supposedly being managed as wilderness, it is not at this present time, because it does not have at the 613 Potts Mountain trail crossing, a road closed sign restricting vehicular traffic, or any gate of any type, and to our knowledge, the far end of it coming in from the opposite side is in the same condition.

The John's Creek Area, the gate which I believe your staff has colored photographs of, the gate you can see, that is in the slides is thoroughly chained back to a post. I believe your staff has seen that in the slide presentation.

Senator WARNER. Excuse me. We will try to assist you in this matter. I think that is a legitimate concern, and I will make known my thoughts to the Forest Service, but again I think it is beyond the purview of this hearing.

Mr. **Gary**. Well, these trails which are being closed are restricting to hunter access also, which was part of our concern, because many of our members hunt.

As you well know, we had proposed additional areas in most of these places, such as the headwaters of John's Creek, or the Cascades, and an addition to the Ramsey's Draft Area, which would make them truly roadless, no improved roads, and no unimproved roads or designated Jeep roads in them, which they are not under the current legislation at this time.

Senator **Warner**. I thank the chairman.

Senator **Jepsen**. Thank you.

Now, Mr. Lester Cherry, executive vice president, Greater Alleghany Highlands, Chamber of Commerce, Covington, VA.

STATEMENT OF LESTER L. CHERRY, EXECUTIVE VICE PRESIDENT, GREATER ALLEGHANY HIGHLANDS, CHAMBER OF COMMERCE, COVINGTON, VA

Mr. **Cherry**. Thank you, Mr. Chairman.

Senator Warner, Mr. Chairman, I, as other distinguished presenters—I was going to say this morning, in my remarks, but of course it is this afternoon, appreciate this opportunity to testify in opposition of Senate bill 2805.

Today I would like to testify on behalf, if I might, of the people of Alleghany County, and by that I mean that we certainly heard from organizations, and experts of all types, but I would like to talk today about the realtors, the doctors and the lawyers, and the clergy and the retailers, and the union members, and the newspaper editors, and also a list here of about 10 or 15 organizations, the Covington-Alleghany County Izaac Walton League, the Virginia Manufacturers Association, the Agri-Business Council, the Farm Bureau, the Virginia Forest Products Council, Building Materials Association, Forestry Association, et cetera, and all of these have letters on file.

I would like to speak as far as our local people about the opposition, the strong opposition, that has been raised to Virginia additions to the Wilderness Preservation System.

I think the opposition is general, and it is deeply rooted. In our region, as Delegate Wilson has told you, we have suffered for many years, at some of the Commonwealth's highest unemployment, well over 15 percent.

I think our citizens have worked hard to reverse that economic stagnation, and they are proud of the way they pulled themselves up by the bootstraps, and gone after it, things are looking good and they are happy about it. But they are very scared.

I can sit here today and tell you that I do not understand the PSD requirements in the 1977 Clean Air Act, and its amendments. I am not familiar with it, and I can safely say that probably the majority of, certainly our constitutents, the guy that works at the paper machine, and the guy you see in the street every day, also does not have a real feel for that.

But what they do know is that it is possible that in some way, shape or form, that wilderness designation, if it can be tied in to class I, that linkage that we all heard about, and it may jeopardize them in any way, they are extremely concerned about that.

As Mr. Hammond stated, Congressman and Senators, Governors and delegates have told us time and time again that they would never consider enacting class I to any wilderness designation, but if that be the case, the people cannot understand why that language cannot be put in an amendment, and put onto this bill.

I think the overall gist is that those of us, and that is a very general term, and I cannot speak for anybody but those constituents in Alleghany County, the cities of Covington and Clifton Forge, feel that we are touched most intimately by it, that it is our real loss or gain, in feeling that way. We invited Congressman Olin, up for a public hearing, a town meeting, and while Senators Warner and Trible have conducted some meetings in Rockbridge and Staunton, but we also, on April 30, June 10, and June 19, through the local chamber of commerce, invited all patrons to at least hear what we had to say, and they all politely refused to give us an appearance. Whether that was a scheduling problem, or what not, I am not clear, but to sum it all up, and I do not want to belabor this, we feel like we are threatened with the real decision and the real loss, and that for some reason individuals that pursue an ideal, sometimes are not those people that are logistically in the place to gain or to lose. We are confident that overwhelming support, at least in our business community, for Senator Warner's bill, could be obtained if he could seek further to amend it to clearly designate new wilderness areas as class II, and if that be the case, every legislator has told us that they will never designate wilderness areas as class I, that should not be—other than the mechanisms that probably will cause delay, something that would cause grief among any adversaries.

Thank you, sir.

Senator **Jepsen**. Thank you.

Senator Warner.

Senator **Warner**. Mr. Cherry, we appreciate your coming forward, and indeed, I think the residents of your community should be reassured of your strong advocacy on their behalf. There is, however, a pervasive misunderstanding that I hope that you and others will, in a sense of fairness, and objectivity share with the people. That misunderstanding is that the law is on the books right now, which enables the Governor, using the rifle shot metaphor to go right now and declare the city of Covington a class I area. It does not make any difference what the Congress is doing. He could go and declare the heart of Richmond class I if he wants.

So I mean, it is the law of the land now, passed by the Congress many years ago. I do not want to raise specters of fear in the minds of people about what we are doing here today, because this rifle shot approach by a Governor is there on the law books. There is nothing we can do about it, except repeal the whole Clean Air Act, and that is not going to be done, pragmatically speaking.

So while I appreciate your concerns, I hope that you inform your constituents that Messrs. Boucher, Olin, Trible, and Warner, are not creating this situation, it is on the law books today, and the Governor may do it. We cannot add that language to take this power away from the Governor because that would in effect be precedent for repealing the Clean Air Act, and Congress is not prepared to do that

Senator JEPSEN. I do not believe that you meant to imply that the Governor might do that. You said may. He is able.

Senator WARNER. He has got the right.

Senator JEPSEN. He has got the right. All right.

Senator WARNER. The opposition has very forcefully stated their concern. I appreciate that, but the basis for their concerns are actions taken by the Congress several years ago.

Senator JEPSEN. Just for the Chair's perspective, do I understand that class I now does exist for about a 30-mile radius?

Senator WARNER. There is a class I area, Mr. Chairman, located approximately 30 miles from the principal plant location of Westvaco; this area was placed in the class I air category via the 1977 legislation.

Senator JEPSEN. And that class I is existing in the circle of what is proposed and recommended, and set forth in this legislation.

Senator WARNER. The James River Face Wilderness Area has been class I for several years. And it is located approximately 30 miles from Covington, VA.

Now, the legislation protects a 30-mile radius, in the sense, that the four candidate wilderness sites located within this radius have been placed into a study category. In the meantime the Forst Service, working in consultation with the EPA and the State of Virginia, is required to perform an air-quality study within the next 2 years which will determine whether or not these four sites, if upgraded to a class I level, would curtail either Westvaco's expansion or that of any other future Covington industry. The requirement for this study is not found in H.R. 5121 but is unique to S. 2805.

Mr. WILSON. Mr. Chairman, if I may point out the two in Augusta County.

Senator WARNER. If you would speak into the microphones.

Mr. WILSON. The prevailing winds from the Covington mill are basically across those areas, and not across the class I.

Senator JEPSEN. That is north of these?

Mr. WILSON. That is roughly, probably east northeast, if I am not mistaken. Northeast, roughly speaking. Winds, I guess, 97 percent of the time would come across there.

This one, we do not know anything about it, and I doubt if any studies have been done on the class I. So, in that small percentage of the time when the wind would blow across that zone, I do not know whether we would be in violation of class I or not. We worry about that. It is over there. Nobody knows anything about it. It was a surprise to some of us to find out that it was there.

Senator WARNER. But there has been considerable testimony given today to the extent that we do not know the prevailing wind direction. I think those that have lived in the area, and I defer to your residency, have probably gotten a feel for the wind direction by sticking their finger in the air. Although this may be better than a lot of metering systems, nevertheless, the record today does not reflect a conclusion that there is a prevailing wind situation.

Mr. LONG. I might say that there is more than wind direction involved in this.

Senator **Jepsen**. OK. Cecil Boggs, president, Virginia Bear Hunters Association, Waynesboro, VA. You are kind of playing cleanup batter here.

Mr. **Boggs**. Mr. Chairman and Senator Warner, I am not going to go into all of this, since it is going to be on the record, and this is the time of day that I am getting tired.[1]

Senator **Jepsen**. Is that when a bear hunter gets tired, about 2 o'clock in the afternoon?

Mr. **Boggs**. If I was standing in the brush, and could hear some hounds running, I would not be tired, but I do not hear them running here. When I hear them running, it can be the end of the day, and I do not get tired, which is the only reason I hunt, of course.

Senator **Jepsen**. I would rather hear them than a lot of the stuff that goes on here, myself.

STATEMENT OF CECIL L. BOGGS, JR., PRESIDENT, VIRGINIA BEAR HUNTERS ASSOCIATION, WAYNESBORO, VA

Mr. **Boggs**. But they refresh everything about you.

Our association is, and has never been opposed to wilderness as such, or to wilderness management. The St. Mary's River Area, for example, which is heavily hunted, has been managed like this as a roadless area for a number of years, and has had no effect on them, but the bear hunters, the Virginia Bear Hunters Association believes that the Federal wilderness designation is dangerous to the future of hunting. It is one more step that can be added to by future Congresses, and we know that future Congresses, as well as past Congresses, have passed things that you gentlemen do not agree with.

We know that this can be done, and it is one more step in that direction. We believe that the proponents of history, of taking land out of hunting use, as far as we are concerned, they are antihunters, they are closet type antihunters, more dangerous than people like funds for the animals, and friends for the animals, because you do not know what you are going to do, when they claim they are your friends, and then they work to take land out of hunting.

We have heard today some of these people saying how much more land they are going to need in the future to meet all the wilderness needs, and this does not address itself to the other needs.

We believe that definitely for wildlife purposes, that management in some form is better, and we would use, as an example, the comeback of the American eagle, which has been done strictly with management, including artificial insemination, and I do not think anybody can go back and say the Indians are doing that.

We believe that the proponents of this bill are not conservationists, as they claim, which is a wise use of the earth in its resources, but are preservationists, and that their aim is to get their foot in the door here, and to continue to ask for more and more, and we think their past record bears this out.

We think also that there are senior and disabled citizens who are going to be denied reasonable access, and we do not claim that they should be able to get into the very remote areas, but they should be able to get into something reasonable enough to go a few miles and see some of this scenery, and not be denied access to it. And the bear hunters have a lot of these people who hunt with them, because some of us have hit the brush and do this work, and others are able to stay along the road and take a stand, and some of these people do nothing but ride up—I know a couple of old men who just sit in a Jeep, and eat ham sandwiches, and listen to the dogs, and they do not even carry a gun, but they are able to enjoy the outdoors, and some of this is going to deprive them of it.

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[1] See p. 121 for a letter from Mr. Boggs to Senator Helms, dated July 20, 1984.

We therefore state our opposition to Federal wilderness areas as being unnecessary, because these particular areas that they claim are so magnificent, and they are, but if the Forest Service is unable to manage them, how did they get this way? I cannot understand it.

Thank you.

Senator JEPSEN. Senator Warner.

Senator WARNER. Mr. Chairman, I think the bear hunters have come to a number, if not all of these hearings, and they have been very careful to express their views. I want to be certain that Mr. Boggs and I agree on the interpretation of the law, and that is that the legal action being taken today does not prohibit hunting per se of bears or any other animal?

Mr. BOGGS. I have not said this, Senator Warner.

Senator WARNER. No, I know that.

Mr. BOGGS. I said that I believe it is dangerous to the future of hunting. I have been following this wilderness thing since back in the seventies, and I have attended a hearing in Roanoke in 1973, held by the Congress, at which time it became very evident that the proponents' biggest objection was the fact that we cannot say that we got it in Virginia, and I still believe, despite what they say here this morning, or anywhere else, that the biggest objective is an ego trip of being able to say we did it. We saved something that is going to be saved any way.

Senator WARNER. But again, you and I agree on the interpretation of the law?

Mr. BOGGS. Senator Warner, last summer I decided that I have not got time to keep fighting it, because this area has changed, I can still hunt, and this is not going to change the way I hunt. It has been like this for 10 years.

The law, as it is now, I know, will not prohibit hunting. I still believe it is dangerous to the future of hunting, and therefore I believe it is antihunting.

Senator WARNER. We just have a difference of opinion.

By the way, is there any chance that you would invite me to come bear hunting?

Mr. BOGGS. I do not really know at this stage, Senator Warner, because I am not real sure that you have—that your hearing in Staunton was held totally fair, when you allowed the chairman of the wilderness committee to get up and interrupt one of the opposition members, and it leaves a question there.

Now, I could get you an invitation to go hunting with people, just as hard hunters, or harder than I am, and younger. If you would like to go bear hunting, I will guarantee you an invitation.

Senator **Warner**. Well, that is all I want.

Mr. **Boggs**. Right now I do not know whether I want to go with you or not.

Senator **Warner**. All right, fair enough.

Senator **Jepsen**. OK. Well, does anybody have any closing one-liner statement they would like to make for the record before we adjourn?

Senator **Warner**. I want to thank the many people of Virginia, Mr. Chairman, who have taken of their valuable time to come up and express their views on both sides of this legislation. It has been a difficult task for the members of the Virginia delegation, not just the principal sponsors of the legislation, but all members. I think that we have tried as best we can to fairly and impartially discharge our duties as legislators while taking into consideration all viewpoints.

I wish to express my appreciation to the chairman, the members of this subcommittee, and their staff, for their patience and their willingness to have this prolonged hearing.

Senator **Jepsen**. I thank all of you for coming, and I hope you have a very safe trip home. Do not hesitate to write or call if you have anything additional that you want to submit for the record.

Thank you very much.

This hearing is adjourned.

[Whereupon, at 2:20 p.m., the subcommittee adjourned, subject to call of the Chair.]

APPENDIX

STATEMENT OF WALTER D. HUDDLESTON A U.S. SENATOR FROM KENTUCKY

Mr. Chairman, I am glad that you have convened this hearing to receive testimony on bills that would designate new wilderness areas in the States of Georgia, Virginia, and Mississippi.

These bills are among the numerous single-State wilderness bills before Congress this year, and each contains the compromise release language recently enacted in other wilderness legislation.

The Georgia wilderness bill, S. 2773, would designate approximately 14,439 acres of land in two areas of the Chattahoochee National Forest as wilderness. In addition, the bill would maintain the current status of the Georgia portion of the Big Frog Wilderness Study Area, as designated by the Eastern Wilderness Act, as well as ten specified areas in the Chattahoochee National Forest. The areas in the Chattahoochee National Forest would be considered for all uses, including wilderness, during the preparation of a forest plan for the national forest under the Forest and Rangeland Renewable Resources Planning Act of 1974.

The Virginia wilderness bills, S. 2805 and H.R. 5121, would designate essentially the same land in the Jefferson and George Washington National Forests as wilderness and wilderness study areas. Eleven areas totaling nearly 56,000 acres would be added to the National Wilderness Preservation System, and another 25,075 acres would be designated for further wilderness study.

The Senate bill differs from the House bill in that it would prohibit the establishment of buffer zones around the wilderness areas. This would ensure that other uses of nonwilderness lands would not be precluded on the basis that they may be seen or heard from the wilderness areas. S. 2805 would also direct the Forest Service, in conjunction with the Environmental Protection Agency and the State of Virginia, to study the effects of the proposed industrial development site at Covington, Virginia, on air quality in the areas that would be designated for wilderness study.

There is some concern that more stringent air quality standards may be adopted in the future for wilderness areas located in the vicinity of Covington, Virginia. If this should occur, it would have an adverse effect on the economic development of the region and on businesses that may have made substantial investments in industrial expansion there. I look forward to reviewing the testimony of today's witnesses in this regard.

The Mississippi wilderness bill, S. 2808, would designate approximately 5,500 acres of land in two areas of the De Soto National Forest as wilderness. This bill, like the other wilderness bills before us today, resulted from extensive study by the Forest Service and substantial involvement by the public in the forest planning process.

The testimony of today's witnesses will be helpful to the Committee in its consideration of these bills.

STATEMENT OF DR. THOMAS M. PULLEN, JR., MISSISSIPPI CHAPTER, SIERRA CLUB, HINDS COUNTY, MISSISSIPPI

Mr. Chairman and members of the Subcommittee, I am Tom Pullen, a resident of the Raymond community in Hinds County, Mississippi. I am a graduate of the University of Georgia School of Forest Resources and, by profession, I am a wildlife ecologist. I am a member of the Executive Committee of the Mississippi Chapter of the Sierra Club, and I am here today to act as spokesman for our Chapter.

The Mississippi Chapter of the Sierra Club was founded just a few years ago and our Chapter is not yet a large one. We constitute a small, but highly diverse group of people drawn from all walks of life, and I believe we represent the thinking of a much larger group of Mississippians than our numbers alone would seem to indicate.

Our Chapter wishes to support Senate Bill 2808. We believe this bill is a compromise bill and one that takes an important first step towards designation of Wilderness Areas in our State. I have personally visited both the Black Creek and Leaf Swamp areas and can testify that I agree with the U.S. Forest Service RARE II conclusions that both areas are worthy of wilderness designation. The Black Creek area is worthy of wilderness designation not only because of the inherent wilderness characteristics it possesses but also because Black Creek proper is being studied by the Forest Service for designation as a possible Wild or Scenic stream and the area is heavily utilized by recreationists from Mississippi as well as the New Orleans metropolitan area. As a former resident of New Orleans, I can personally testify as to the value of having a wild, primitive area located within two hours driving time of that crowded urban area. The Black Creek area is traversed by the Black Creek hiking trail.

The trail provides an excellent means of obtaining ground access into the wilderness and is one of the best places in Mississippi for backpacking and related recreational experiences. There can be no doubt that an officially designated Black Creek Wilderness Area would be heavily utilized by recreationists.

The Leaf Swamp difficult to gain access to, it possesses outstanding natural characteristics. For a lover of our Southern Swamp country such as myself, this area holds special attractions. The area is covered with outstanding stands of bottomland hardwood forest bordered by contrasting upland forest types of the moist slopes and bluffs that border the swamp. The botanical diversity of the area is truly remarkable; and the beauty of the area, in my opinion, is not exceeded even by the more widely known and much publicized swamps of Louisiana's Atchafalaya Basin. Designation of this area as a wilderness would insure that this natural wonder is preserved, and would provide a place where those individuals who desire a truly difficult and primitive wilderness experience could find one.

As I mentioned earlier, our Sierra Club Chapter believes Senate Bill 2808 is a compromise bill. Designation of the Black Creek and Leaf areas as wilderness would set aside only 5,500 acres of National Forest lands as wilderness. This is only a fraction of one percent of the total National Forest land in Mississippi. Such a designation would have no significant impact on timber production and associated economic activity in our State since, statewide, we have about 16.5 million acres of commercial forest lands.

This bill, as presently drafted, would exclude from consideration as wilderness virtually all other potential National Forest roadless areas for a 10 to 15 year period. This includes the 2,375 acre Sandy Creek area in Adams County near Natchez, which the Forest Service recognized in their RARE II study as being worthy of further study for potential wilderness designation. This area is located in the Loess Hills Physiographic Province and is characterized by a combination of topography and vegetation that makes the area truly unique. Also excluded, would be areas such as portions of the Delta National Forest west of Jackson, one of the few remaining bottomland hardwood forests in the Alluvial Valley of the Mississippi River. This area contains several remnant tracts of old-growth or virgin forest that would lend themselves as a nucleus for designation of a small wilderness area. Our Chapter believes that since Mississippi has so few areas that possess true wilderness characteristics, all are valuable and worthy of some form of protection or, at least, continued consideration for wilderness designation even if the areas are of small size. We, unlike many other states, simply do not enjoy the luxury of being able to choose our wilderness areas from a long list of potential sites. For these reasons, we are disappointed that this bill does not incorporate some provision to allow continued National Forest wilderness consideration under the existing forest planning processes mandated by the National

Forest Management Act of 1976 prior to future management plan revision some 10 to 15 years from now. We believe that, in the near future, wilderness designation for some of these areas may be found to be desirable; and we fervently hope that the U.S. Forest Service will see fit to continue to manage these lands to maximize protection of their wilderness characteristics. We realize that compromises must, at times, be made. However, we also realize that good stewardship of our public lands demands that management be geared towards the long term needs of society and not just toward short term economic returns. Our Chapter will continue to work to promote this philosophy, and we hope that the Congress and the U.S. Forest Service will join with us in these efforts.

I appreciate having this opportunity to address the subcommittee and I thank you, Senator Cochran, for your efforts in introducing a Mississippi Wilderness Bill.

STATEMENT OF ROBERT S. "SID" MOSS, STATE FORESTER MISSISSIPPI FORESTRY COMMISSION, JACKSON, MISSISSIPPI

Senate Bill 2808, the Mississippi National Forest Wilderness Act of 1984, was introduced by Senator Thad Cochran (MS) which designates certain National Forest System lands in the State of Mississippi as wilderness, and for other purposes.

The bill sets aside certain lands in the DeSoto National Forest, Mississippi, which comprise two designated areas known as the "Black Creek Wilderness" and the "Leaf Wilderness" and encompasses approximately fifty five hundred (5,500) acres.

Be it known that in summary, I fully support the passage of Senate Bill 2808 as written and proposed.

STATEMENT OF BOB IZLAR, EXECUTIVE VICE PRESIDENT, MISSISSIPPI FORESTRY ASSOCIATION, INC., JACKSON, MISSISSIPPI

I am Bob Izlar, Executive Vice President of the Mississippi Forestry Association, Inc. The Association is headquartered in Suite 201, 620 North State Street, Jackson, Mississippi 39202-3398. Mississippi Forestry Association, Inc. (MFA) is a non-profit organization incorporated in the State of Mississippi's forests for the best interest of her people and future generations. MFA has over 1,200 members composed of private forest landowners, banks, insurance companies, loggers, equipment dealers, and forest products manufacturing firms.

MFA supports Senate Bill 2808, the Mississippi National Forest Wilderness Act of 1984. It has been MFA's traditional stance to oppose any wilderness legislation. However, because of the special language in this bill and the fact that it is only concerned with one national forest in Mississippi, we are altering our stand on this one case. We are opposed to any additional federal lands in Mississippi being taken as wilderness areas.

STATEMENT OF DAVID L. RUPLE, MISSISSIPPI COAST AUDUBON SOCIETY OCEAN SPRINGS, MISSISSIPPI

The residents of Mississippi are long overdue in having portions of the Mississippi National Forest System designated as wilderness. Having spent time in both the Black Creek and Leaf Areas I feel they are more than worthy of designation based on the criteria established by the United States Forest Service and the United States Congress. Past visits to wilderness areas in the eastern and western United States have made me aware of the intrinsic values of a wilderness area, and believe me those same qualities are present in the Black Creek and Leaf Areas.

The Black Creek and Leaf Areas are indeed different than what many people might expect of a wilderness area, but to me this fact only makes the case to designate these areas more urgent. Many people think of wild America only as those areas with jagged rocky peaks, pristine mountain lakes, cascading rivers, endless miles of rolling mountains covered by hardwood forests, etc...., but here in Mississippi we have a different segment of America that is worth preserving for all time. Black Creek and Leaf represent areas of the Outer Coastal Plain Forest Ecosystem, an ecosystem type not adequately represented in the Wilderness System. The Black Creek Area includes Black Creek, a major tributary of the Pascagoula River watershed. This often crystal clear, meandering creek transects the area, flowing through the heavily forested bottomlands, covered with sweetgum, chestnut, oak maple, sweetbay, tupelo, and some cypress. Higher ridges are covered with various types of southern pines. Leaf consists of primarily hardwood bottomlands (swamps, an oxbow lake, and slough) covered with cypress, tupelo, sweetgum, and oak, with slash and loblolly pine on the upland areas. The opportunity must be taken now to preserve these systems.

When someone from outside our State thinks of Mississippi, what comes to mind? The rural South might be one of the first thoughts, and yes much of Mississippi is indeed rural, not unlike many of our southern states. But todays rural South is not the backwoods countryside of yesterday, much of the land having already been divided and subdivided in the name of progress. The timber and mining companies, agriculture, industrial and housing development have all cut deeply into the rural South until our large pristine, natural tracts of land are rapidly dwindling.

Take for example the proposed Sandy Creek Wilderness Area in southwestern Mississippi; a unique area, which like Black Creek and Leaf met wilderness criteria until two years ago when three logging roads were hastily constructed through the area.

Black Creek and Leaf are indeed areas that need protection and deserve protection, for the people of Mississippi as well as the entire nation. In 1980 Agriculture Secretary Bob Bergland strongly recommended wilderness status for Black Creek and Leaf, but appropriate actions were not carried out. We now have another chance. I urge the Subcommittee on Soil and Water Conservation, Forestry, and Environment of the Committee on Agriculture, Nutrition, and Forestry as well as the entire United States Senate to rule favorable on S. 2808 and pass the Mississippi National Forest Wilderness Act.

STATEMENT OF G. ROBERT KERR, THE GEORGIA CONSERVANCY
ATLANTA, GEORGIA

Mr. Chairman, members of the subcommittee,

It is with sincere pleasure that I speak with the subcommittee on this very important piece of legislation; Senate bill 2773.

My name is Robert Kerr, Executive Director of the Georgia Conservancy, the state's largest and most effective citizens conservation organization. I'm also privileged to chair and speak for two coalitions that are very interested in this legislation.

The Southern Highlands Coalition is made up of Georgia and North Carolina conservation, sportsman and recreation organizations. This coalition came together because of its belief that approximately 50,000 acres of mountains, coves, and valleys encompassing the headwater basins of the Nantahala River in Western North Carolina, and the Tallulah River in Western North Carolina and Northeast Georgia make up a very special area, one that is worthy of the protection offered by the legislation you are now considering. This legislation, when matched with the North Carolina Wilderness legislation, will offer protection to the core area of the Southern Nantahala, and will extend the area protected at Ellicott Rock.

We, of course, will encourage the United States Forest Service to provide sensitive management to those Southern Nantahala acres we believe are worthy of wilderness designation, and which were not included in the two pieces of legislation under discussion.

The second coalition I speak for is the Georgia RARE II Environmental Council, a group of fifteen conservation, sportsman, recreation and health related organizations. The council came together for the express purpose of responding to the RARE II program. In so doing, the council accomplished two major tasks: 1) It critiqued the RARE II program, and 2) it obtained a consensus from a wide cross section of organizations on what should be the very minimum amount of wilderness designated in Georgia as a result of the RARE II program.

In order to accomplish these tasks, the member organization of the council carefully reviewed available documentation. They visited, individually and with a number of reputable scientists, each RARE II area and conducted several transects on each of them. The council initiated this effort in order to properly evaluate each of these Georgia RARE II areas. The reason is very simply that we wanted to be able to recommend from a sound basis. We believe we accomplished our objective.

The resultant document, which I have with me, is one that the Forest Service has said "...is the finest submission received..." during the RARE II process. The document contains, in addition to the expected review of the RARE II DES and process and the proposed ares, recommended criteria to use as a guide in evaluating proposed RARE II areas. It also contains a thirteen category ecological evaluation of each of the areas proposed for wilderness by the council, and a paper on the value of unmanaged forests, co-authored by two well known scientists.

I relate all of this background simply to illustrate to you why we believe, not only that these two marvelous areas, Southern Nantahala and Ellicott Rock Extension, belong in the wilderness system, but that the areas S. 2773 remands to forest management planning under section 6 of RPA as ammended also have demonstrated wilderness suitability.

Should you choose to not include these ten areas in the wilderness system in this session of Congress, we strongly believe they should be designated as formal Wilderness Study Areas so that Congress may eventually make the final determination as to the fate of each one. I ask you on behalf of the represented organizations to so amend S. 2773 in committee.

My involvement in the Southern Nantahala, and later in the other proposed areas, began in the early seventies. At the time, I was a consultant in the computer industry. Republican State Representative George Larsen, whose campaign I co-managed, introduced a resolution in the Georgia House which recognized the significance of these North Georgia National Forest lands, and which asked the Forest Service to manage the most significant areas so as not to impair their wilderness values. The resolution passed and I have been personally active in this effort since that time. In fact, my interest in this issue began the process which eventually led me to give up my career in Data Processing and to accept the staff position of Executive Director of the Georgia Conservancy.

In other words, I have a great love for these mountain areas and I am deeply grateful to Senators Nunn and Mattingly for their initiative in behalf of Wilderness designation in Georgia. The Senators have the thanks and commendation of the organizations I represent here today. We also wish to express our thanks and gratitude to the North Carolina Delegation for actions taken by them on behalf of these beautiful and very special areas.

If I can be of further service, answer questions, or provide additional documentation, I will happily comply.

Thank you for your interest and for your attention.

STATEMENT OF RANDALL SNODGRASS, SOUTHEAST REGIONAL DIRECTOR THE WILDERNESS SOCIETY, ATLANTA, GEORGIA

Mr. Chairman, members of the subcommittee, I am Randall Snodgrass, Southeast Regional Director of The Wilderness Society. I have appeared many times before Congress in support of wilderness legislation for other states in my region, but it is a special pleasure to be here today to support a wilderness bill for my home state of Georgia. The Wilderness Society is very appreciative of the efforts by both Senators Nunn and Mattingly on this legislation and grateful to this committee for its prompt attention.

It is not often that I can say that I have had the opportunity to venture into all of a state's proposed wilderness areas, but in this case the areas are located close enough to my home that I am pleased to boast of that distinction. In fact, I have returned to my favorite areas again and again to enjoy their ever changing beauty in the different seasons. Areas which present little challenge to the veteran outdoorsman in the spring, summer, or fall, take on new adventuresome excitement during the winter. Wading through thigh-deep snow in the proposed Southern Nantahala wilderness in January is as special a memory as taking a dip in the Chattooga River flowing through the Ellicott Rock Wilderness in the summetime. And for the wildflower enthusiast, such as myself, these areas are almost heaven in the spring.

I am also very fortunate to have observed much of the wildlife native to his mountainous forest. Black bear, which was once populous in our mountains, is now dependent on these proposed wilderness areas for their preferred habitat. (Lentz, et. al., 1980) Deer, turkey, and grouse are much more commonly sighted. A variety of woodpeckers, owls, squirrels, and songbirds adorn the tree limbs and harmonize with the many creeks that arise in this wildland. The most elusive critters, such as the endangered eastern cougar, are said to still inhabit this land, but I will be very fortunate, indeed, if I ever spot one.

Specifically, the Wilderness Socity supports all the areas mentioned in this bill, S. 2773, for inclusion in the National Wilderness Preservation System. In addition to the Southern Nantahala and Ellicott Rock Wilderness, we would also like to see the 10 areas not released--Raven Cliff, Wolf Pen, Brasstown, Tray Mountain, Chattahoochee, Blood Mountain, Overflow, Mountaintown, Hemp Top, and Rich Mountain--protected in the near future. Until Congress can decide on the fate of these worthy areas, we would like to see them protected as formal Wilderness Study Areas. This is certainly not without precedent in other states. This committee, for instance, supported such interim protection for 5 areas in North Carolina. The Tennessee, Virginia, and Florida Wilderness bills also contain several Wilderness Study Areas. As is the case with the Georgia areas, most of these Wilderness Study Areas were categorized as "further planning" during the RARE II study. A final decision by the Forest Service on these "further planning" areas in the Chattahoochee National Forest is expected in early 1985. Our fear is that Congress will not have an opportunity to decide which of the 10 areas in Georgia omitted from this bill should be placed in the Wilderness System. Once the forest management plan is complete and the decision on these areas final, timbering and road-building can take place on the areas the agency decides to release. We do not anticipate that Congress will enact a statewide RARE II bill for Georgia prior to the plan's completion. Thus, these 10 areas mentioned above may be in jeopardy soon after this Congress adjourns, without an amendment to the bill before you.

The Forest Service has argued most effectively for the preservation of these areas in the recently released Regional Guide for the South and the accompanying Environmental Impact Statement.

> Based on the 1981 data, the average wilderness use in the (Appalachian) Mountain subregion already exceeds (carrying capacity). The addition of roadless areas in the mountain subregion would help meet the increasing demands. Wilderness recreation visits in the Southern Region increased an average of five percent per year from 1975 to 1970. This compares to a 2.5 percent increase nationally during the same period. Since 1979, recreation use of wilderness in the South has increased approximately five times faster than during the 1975-79 period... Wilderness use in the South is expected to continue to exceed national trends, with an average annual growth rate of four percent over the next two decades. It is estimated that all of the proposed RARE II wilderness areas and 55 percent of the further planning areas would require wilderness designation to meet 1980 RPA Program targets.

The 1980 RPA Planning Target for Wilderness predicts that, by the year 1986, 700,000 acres of national forest wilderness will be required to meet the projected need in the Southeast region. With the enactment of the North Carolina Wilderness bill on June 19, 1984, the total acreage region-wide is currently 218,173 acres. Adding to that figure the acreage in the bills before

Congress--Virginia, Florida, South Carolina, Tennessee, Arkansas, Texas, Alabama, and Mississippi--the total would be 535,332 acres. And the two remaining states to be legislated--Oklahoma and Kentucky--will only bring the total to 564,892 acres. (see Appendix A) Thus, all of the potential wilderness in Georgia must be protected in order to approach the Forest Service target of 700,000 acres. This would include the 14,529 acres in the bill as well as the additional 118,000 acres the conservation community in Georgia would ultimately like to see in the Wilderness System. And, it should be noted that all of wilderness acreage in Georgia would fall in the more heavily used Appalachian Mountain subreagion, where, as the Forest service points out, we need it the most.

There is then, a very practical planning need which can be addressed by amending this bill, protecting the wilderness values in our proposed wilderness study areas until Congress can act on their behalf. The interim protection and the further study which this classification would afford these areas will give us, and the Congress, ample time and peace of mind to make the most knowledgeable, farsighted decision.

In closing, Mr. Chairman, I want only to reiterate our appreciation to this committee for its prompt attention to this bill. The Wilderness Society also supports S. 2808, the Mississippi Wilderness bill, which is before you. I would like to ask that our written testimony on the Mississippi bill, which is attached, be included as a part of the record.

APPENDIX A

EXISTING AND PROPOSED WILDERNESS AREAS (in acres)

SOUTHEASTERN UNITED STATES (Region 8, USFS)

25 July, 1984

STATE	I EXISTING WILDERNESS (acres)	II WILDERNESS BILLS PENDING BEFORE CONGRESS	III USFS RARE II RECOMMENDED WILDERNESS*	
Alabama		28,000		
Arkansas		117,000		
Florida		49,150		
Georgia		14,529		
Kentucky		—	13,260	
Louisiana		—		
Mississippi*		5,500		
North Carolina		—		
Oklahoma		—	16,300	
South Carolina		1,900		
Tennessee		25,000		
Texas		34,400		
Virginia		56,209		
	218,173	331,688	32,560	
TOTAL COLUMNS I, II, III:				582,421
1980 RPA Planning Target for Wilderness (Southeast Region)-1986:				700,000
Additional wilderness acreage needed to achieve target				117,579

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*with no pending legislation

STATEMENT OF RANDALL SNODGRASS, SOUTHEAST REGIONAL DIRECTOR, THE WILDERNESS SOCIETY, ATLANTA, GEORGIA

Mr. Chairman, The Wilderness Society would like to add its support to S. 2808 the Mississippi Wilderness bill. We commend Senator Cochran for introducing this legislation and appreciate the committee's prompt attention to it.

We would like to suggest, however, that not enough is known of the Sandy Creek area to release it from further wilderness consideration. We recommend that the committee amend the bill to protect these 2,375 acres as a Wilderness Study Area. Mississippi has such a time fraction of the potential wilderness nationwide that we feel this would serve in the best interests of the residents of ths state and neighboring Louisana.

The Wilderness Society appreciates this opportunity to comment and hopes the committee will look favorable on our recommendation.

STATEMENT OF SENATOR JOHN W. WARNER
A U.S. SENATOR FROM VIRGINIA

Mr. Chairman, thank you for your courtesy in scheduling a hearing on the Virginia wilderness proposal so promptly.

On June 27 Senator Trible and I introduced S. 2805, "Virginia Wilderness Act of 1984."

The bill designates 11 areas of approximately 55,984 acres as part of the National Wilderness Preservation system.

These proposed wilderness areas represent less than four percent of Virginia's national forest lands.

Four areas totaling nearly 25,075 acres are designated for wilderness study which protects them from development but does not lock them into permanent wilderness status.

157,240 acres are released for multiple use management by the Forest Service which means roads may be built and the lands used for mining, timber production, petroleum production, and intensive recreational uses, all subject to Forest Service management plans.

With the exception of the wilderness study areas, the legislation closely parallels the RARE II recommendations of the Forest Service.

The Virginia Wilderness Act of 1984 reflects a delicate balance between the desire to preserve Virginia in its natural state and the need to promote economic growth.

It is the result of years of hard work by many interested Virginians, including sportsmen, environmentalists, industrialists, property owners, and state and local officials.

Only after I hiked some of the proposed areas, conducted town meetings, met with representatives of local governments, businesses, and citizens groups, did my efforts culminate in a Senate bill.

Drafting of the legislation has involved extensive discussions to ensure the fairest possible alternative.

I truly believe that the bill assures that present and future generations will have the opportunity to visit Virginia wilderness areas without jeopardizing jobs or unduly hindering development of our natural resouces.

The legislation will protect forever an irreplaceable part of our natural heritage, so that our children and grandchildren will have the opportunity to experience what we all too often take for granted.

It is especially appropriate that we move forward with the Virginia Wilderness Act in 1984--the 20th Anniversary of the enactment of the Wilderness Act.

These lands offer outstanding recreational opportunities and will remain open for hiking, camping, hunting, and fishing.

It will not result in the condemnation of any private property or impair the rights of property owners.

All these lands are Federally owned as part of the national forest system, so no private property will be condemned.

The areas earmarked for wilderness include nine areas in the Jefferson National Forest: Beartown in Tazewell County, Kimberling Creek in Bland County, Lewis Fork in Smyth and Grayson Counties, Little Wilson Creek in Grayson County, Little Dry Run in Wythe County, Mountain Lake in Giles and Craig Counties, Peters Mountain in Giles County, Thunder Ridge in Botetourt, Rockbridge, and Bedford Counties, and James River Face Addition in Rockbridge County.

Also included for wilderness designation are two areas in the George Washington National Forest.

They are Ramsey's Draft in Augusta County and Saint Mary's in Augusta County.

Mr. David Cockrell and Mr. Emett Pritchard of the Division of Health, Physical Education and Recreation of Virginia Polytechnic Institute and State University in Blacksburg, Virginia have prepared a summary of each of Virginia's proposed wilderness areas.

The descriptions are largely derived from the U.S. Department of Agriculture's Forest Service RARE II summaries.

I request that this summary of the proposed Virginia wilderness areas be included in the hearing record.

On May 8 similar legislation, introduced by Congressman Boucher and Congressman Olin, passed the House of Representatives by a vote of 376-20.

The Senate legislation differs from the House bill in two important ways:

First, it prohibits the establishment of buffer zones around the wilderness areas.

This would preclude the possibility of banning nonwilderness activities in tracts surrounding the wilderness designations, simply because they could be seen or heard from the wilderness areas themselves.

Second, the legislation directs the Forest Service, in conjunction with the Environmental Protection Agency and the State of Virginia, to study the effect on air quality in Covington, Virginia, of the designation of Barbours Creek, Shawvers Run, Rough Mountain, and Rich Hole as wilderness.

Oppposition to Virginia wilderness designations has centered primarily on fears that Congress might in the future upgrade all wilderness areas to Class I.

Because Class I air quality standards are so stringent, economic growth could be blunted.

Designating lands as wilderness does not change their air quality standards under the Clean Air Act.

The proposed Virginia wilderness areas are Class II, and they will remain Class II if designated as wilderness.

Under existing law, the Governor of Virginia has the authority by administrative action to upgrade all Class II areas in Virginia to Class I regardless of whether they are wilderness or not.

Although I cannot guarantee that some future Congress will not unilaterally upgrade all wilderness areas to Class I, two factors make this highly unlikely in my judgment.

These factors are the total number of wilderness sites throughout the United States which would be impacted and the number of wilderness sites which are in close proximity to urban areas.

As of 1980, at least 23 cities with populations in excess of 10,000 have Class II wilderness sites within 20 miles of their borders.

Several of these cities are large and well-known such as Albuquerque, Salt Lake City, and Tuscon.

Formidable opposition could be anticipated if Congress took any action that might preempt the future economic growth of these prominent American cities.

Second, as of December 1983, there were more than 160 wilderness sites in the U.S. with a Class II air quality designation.

More than 20 states have wilderness bills pending in this Congress so that by the end of 1984 the number of Class II wilderness areas will increase substantially.

More and more states and their representatives in the Congress will have a stake in any upgrading of the air quality standards of wilderness areas.

I pledge to the citizens of the Commonwealth of Virginia that as long as I represent you in the U.S. Senate, Virginia wilderness areas will not be upgraded to Class I by the Congress.

I urge Virginians to hold their future U.S. Senators and Governors to similar commitments.

Virginia wilderness advocates are on record in opposition to upgrading Virginia wilderness areas from Class II to Class I.

I am submitting copies of these letters to be included in the hearing record.

I intend to hold them to that commitment.

The fear of upgrading all wilderness areas to Class I is especially vocal in the Covington area where unemployment hovers at 7.4 percent.

I fully sympathize with the desire of the citizens of the Allegheny Highlands to protect their jobs and preserve a climate that will encourage industrial expansion.

Westvaco Corporation is the economic lifeblood of the Allegheny Highlands.

I am delighted that they have announced their plans for a two-phased expansion and want to do everything in my power to assure that it takes place.

Under S. 2805, the four proposed wilderness areas within a 25-mile radius of Covington are given a wilderness study status which protects then from development but does not lock them into permanent wilderness status.

Meanwhile, the Forest Service will investigate the impact on air quality of the proposed industrial expansion at Covington and must report back to Congress within two years.

The proposed expansion of Westvaco's bleached board division in Covington will require the collection of Covington meteorological data and the development of a computer model that will predict, among other things, the direction in which their stack emissions will be carried and the concentration levels of its air pollutants.

Once their meteorological data and air modeling work have been approved by the Virginia Air Pollution Control Board, the Forest Service, in consultation with the Environmental Protection Agency and the State of Virginia, shall review this information, modify the model where necessary, and use it to predict the air pollution concentration levels expected to be induced in each of the four proposed study sites.

Using appropriate existing site data or by partial surveys of the actual sites, the Forest Service shall establish air quality related values and sensitivities that are representative of the four sites involved.

Based on this information, the Forest Service shall determine whether or not the Covington emission source will be harmful to any of the study sites or in violation of Class I air quality standards, were they ever to be made applicable to these sites.

In addition, the Forest Service shall determine what Covington level of emissions corresponds to the threshold of unacceptability at these sites, and, secondly, whether or not the threshold values will be in violation of Covington's close in Class II air quality standards.

Based on this analysis, the Forest Service shall identify what limitations the four proposed sites would impose on Covington's future economic growth should they ever be elevated to a Class I air quality level.

After I have had the opportunity to review the results of the study, I will examine the appropriateness of introducing legislation to designate these four areas--Rough Mountain, Rich Hole, Barbours Creek, and Shawvers Run--as wilderness.

I wrote to Virginia Governor Charles Robb seeking his views--as the Commonwealth's chief industrial development officer--on wilderness designation.

I request that the text of Governor Robb's letter be printed at this point in the Record.

I welcome the Virginians who have travelled to Washington to testify at this hearing and look forward to their testimony.

Governor Charles S. Robb
Commonwealth of Virginia
Richmond, Virginia 23219
May 30, 1984

The Honorable John W. Warner
417 Russell Senate Office Building
Washington, DC 20510

Dear John:

Thank you very much for your letter of May 8, 1984, in which you invite my views concerning certain aspects of HR 5121 which would establish approximately 56,000 acres of new wilderness area in Virginia.

Your letter refers to concerns expressed by some in the Covington area that approval of HR 5121 would pose obstacles to further significant economic development in that part of Virginia. The basis of that concern appears to be a fear that at some future time wilderness areas created by HR 5121 would be required to meet very restrictive Class I air quality standards. As you know, under current federal law the proposed wilderness areas included in HR 5121 would be subject only to Class II air quality standards. There is nearly unanimous agreement that Class II standards pose no threat to economic development in the region.

The best information available to me suggests that those who have concerns about HR 5121 are not fearful that I or my successors would seek a change in the air quality standards applicable to wilderness areas in Virginia. The real difficulty seems to be a suspicion that some future Congress might act to approve a change from Class II to Class I standards.

I would be reluctant in any event to surrender powers conferred upon me under the provisions of the Clean Air Act which permit the Governor to request redesignation of air quality standards for wilderness areas within his state. There is an important principle of federalism at issue here. Quite apart from any point of principle, however, an agreement by me to surrender powers under the Clean Air Act would not allay the concerns of those who fear that approval of HR 5121 would impair economic development in parts of Virginia. Those doubts focus not on the executive branch of Virginia state government but upon possible future actions by the Congress.

Your letter also refers to S 2125, creating wilderness areas in Arkansas, which includes provisions making it clear that buffer zones restricting land use need not be established in areas which adjoin new wilderness sites in that state. Since debate in Virginia over the merits of HR 5121 has focused on air quality standards, I doubt very much that statutory language dealing with buffer zones immediately adjacent to designated wilderness areas would meet the objections of opponents to HR 5121.

I believe that the preservation of appropriate wilderness areas in Virginia is an important public policy objective. I know that you share this view, and I hope that, working with all interested parties, it may be possible for you and your colleagues in the Senate to evaluate the objections of those who perceive HR 5121 as a threat to future economic development.

Sincerely,
Charles S. Robb

2048 Chase Avenue
Waynesboro, Virginia 22980
July 23, 1984

The Honorable Roger W. Jepsen
Subcommittee Chairman
Committee on Agricuture, Nutrition, and Forestry
United States Senate
Washington, D.C. 20510

Dear Senator Jepsen:

Thank you very much for your invitation to address the Public Hearing on S. 2805 and H.R. 5121 on Wednesday, July 25. Unfortunately, due to a long standing prior commitment, I will be unable to be with you to make a verbal presentation to the Subcommittee. This letter will present my position on these Bills and I would like very much to have this position recorded as part of the official record of the Public Hearing.

As a young boy growing up in the Radford area of Southwest Virginia, I was an active Boy Scout. With other members of my Scout troup, which included former Governor John N. Dalton, we enjoyed many excursions into "wilderness areas" close to our city. We all learned to appreciate the naturalness of the areas where we camped and earned our conservation type merit badges.

In a trip "back home" it distressed me to see several of the areas where we had these memorable childhood experiences now enveloped with commercial and housing developments. With this in mind, I feel strongly it behooves us as a society to preserve areas so that our grandchildren and great grandchildren can have similar natural areas.

The present legislation will accomplish this goal in a manner which I feel is compatable with the other goals of society. One of these is to provide good jobs for our citizenry in a desirable environmental setting. Wilderness Areas will be compatable under this legislation with good economic development. Senators Warner and Trible have carefully drafted S. 2805 to make certain that air quality will fall under Class II and there will not be buffer zones around each Wilderness Area. These are important parts of the legislation to give us a balanced approach in Virginia for the protection of Wilderness Areas while at the same time allowing appropriate economic development. This will provide for adequate jobs for our citizens while at the same time give them and their children and grandchildren an opportunity to enjoy the natural gifts which the Good Lord has given us.

Wilderness Areas will also be a positive factor, in my opinion, in attracting new job opportunities to Virginia. We are moving rapidly to a society which will rely more and more on so-called High Tech Industries. Having a Wilderness Area "close at hand" will be an attraction for the people involved in these kinds of industries. This will be another inducement to have job producing firms located in communities which have Wilderness Areas in the vicinity.

Mr. Chairman, I appreciate the opportunity to communicate my feelings to you and your Subcommittee and encourage you to report favorably on S. 2805.

Best regards,

Arthur R. "Pete" Giesen, Jr.
Commonwealth of Virginia
House of Delegates

STATEMENT OF HONORABLE JIM OLIN REPRESENTATIVE IN CONGRESS FROM THE 6th DISTRICT OF VIRGINIA

Mr. Chairman and members of the Subcommittee, I appreciate the opportunity to testify this morning in support of S. 2805, the Virginia Wilderness Act of 1984, introduced by Virginia's Senators John Warner and Paul Trible.

Mr. Chairman, I have a complete statement on this legislation, but in the interest of time, I will keep my oral statement short.

This legislation is sound and strikes the right balance between the need to protect unique natural sites and the need to ensure that economic growth is not threatened. Both Senators are to be commended for introducing this legislation.

S. 2805 is very similar to legislation introduced in the House by Congressman Boucher and me. That bill, H.R. 5121, was passed on May 8, 1984, by a vote of 376 to 20.

The designations of areas under S. 2805 and the acreage in those sited is identical to that contained in H.R. 5121. The only difference in sites is that S. 2805 adds 40 acres more than H.R. 5121 to the existing James River Face Wilderness Area. This additional 40 acres was requested by the U.S. Forest Service after H.R. 5121 was adopted by the House. Otherwise, it would have been included in the House-passed version. I support the addition of these 40 acres.

S. 2805 differs from H.R. 5121 in only two other minor respects. A provision has been added clarifying that Congress does not intend for protective buffer zones to be created around sites designated as wilderness. The fact that non-wilderness activities might be seen or heard from within a wilderness area shall not, or itself, preclude those activities up to the boundary of a wilderness area.

It is my understanding that no buffer zones are planned by the Forest Service for wilderness areas in Virginia. I do not support the creation of buffer zones. As such, I support this additional provision to a Virginia Wilderness bill.

The other difference in the two bills is that S. 2805 adds a provision directing the Forest Service, in consultation with the Environmental Protection Agency and the State of Virginia, to study the effects on air quality of a proposed industrial development site at Covington, Virginia on areas designated as "wilderness study" under the bill. This report is to be submitted to Congress within two years.

I support this additional provision. Right after Congressman Boucher and I introduced H.R. 5121, we wrote to EPA Administrator Ruckleshaus asking that EPA look at the same question and provide us with a scientific and technical response. I agree with Senators Warner and Trible that this is an important question and support including this report provision in statutory language.

Covington is the site of a major paper mill operation of the Westvaco Corporation. It is a major source of employment to the area and an important source of tax revenues. I am pleased to report that Westvaco has now begun a major new expansion at its Covington facility. This will mean the creation of a number of new jobs for the region.

Westvaco is interested in ensuring that they will be able to proceed with this expansion and modernization and that actions not be taken which might impede normal and responsible growth in its work at Covington. I share this interest in seeing this expansion go forward, as do Congressman Boucher and Senators Warner and Trible. For this reason, we took special steps in drafting Virginia wilderness legislation to be responsive to the concerns of Westvaco.

I have met with Westvaco officials on a number of occasions on this legislaion. The basic concern is that some future Congress may decide to redesignate all wilderness areas to Class 1 air quality areas for purposes of the Clean Air Act. As you and the members of this Subcommittee recognize, designating areas as wilderness does not alter their existing Class 2 air quality standards. The Westvaco concerns focus on other actions by future Congresses.

Congressman Boucher and I went over these concerns with Westvaco officials, with the State Air Pollution Control Board (the state agency in charge of administering the provisions of the Clean Air Act), business and environmental organizations, as well as countless citizens.

After a thorough review of all the facts, we reached the conclusion that there is little reason to fear that a future Congress will redesignate wilderness areas as Class 1. Even if they were, the data we have seen suggests that Westvaco would not violate Class 1 air quality standards anyway at the site closest to Covington which was recommended for wilderness by the U.S. Forest Service. We have also received commitments from local and national environmental organizations that they will not seek such a redesignation, and Congressman Boucher and I, as have Senators Warner and Trible, have stated that we will oppose in the strongest way possible any future effort to redesignate these sites to Class 1.

Despite all of these assurances, we went one step further. The four sites which are closest to Covington have been designated under our bills as wilderness study rather than wilderness. This will ensure that we have the benefit of scientific data from the Environmental Protection Agency before we proceed with any possible future designations of these four sites.

As the bill now stands, the closest wilderness site established under the bill to Covington is 32 miles away. This is further away than the existing James River Face Wilderness Area which is already a Class 1 site. The James River Wilderness Area is about 30 miles from Covington.

With this as background, I think it is very clear that Congressman Boucher and I, in H.R. 5121, and Senators Warner and Trible, in S. 2805, have been careful in drafting our legislation to ensure that economic growth will not be threatened.

Mr. Chairman, S. 2805 designates less than 4% of the National Forest Land in Virginia as wilderness. At the same time it releases almost 10% of the National Forest Land back to multiple-use management. Just under 56,000 acres would be made wilderenss, while nearly 157,000 acres would be returned to multiple-use. This legislation very closely parallels the RARE II recommendations of the U.S. Forest Service. It is a reasoned and balanced bill and deserves your support.

Again, let me thank you for the opportunity to testify today and commend Senators Warner and Trible for their fine legislation. I would be happy to answer any questions.

Mr. Chairman, at this point I would like to describe some of the sites designated under H.R. 5121 and S. 2805. In this discussion, I will focus my remarks on those areas in the 6th Congressional District of Virginia which I have the honor of representing.

In the last year and a half, I have talked with and heard from thousands of people in the district about wilderness. Elected officials and numerous civic organizations have expressed their opinions. With only a few exceptions, public opinion expressed at meetings and through correspondence has been supportive of wilderness by a very wide margin.

In addition, over the last year I have hiked through all of the proposed wilderness sites in the 6th Congressional District for a first-hand appraisal of these sites.

On the basis of the recommendations of the Forest Service, the input I have received from interested citizens back home, and my own review of these sites and the issues involved, I have proposed wilderness designations for St. Mary's and Ramsey's Draft in Augusta County, and Thunder Ridge in Rockbridge, Botetourt, and Bedford Counties. In addition, I have proposed adding 160 acres to the existing James River Face Wilderness Area. As I indicated previously, I support the addition of 40 more acres to James River Face as provided under S. 2805, bringing the total to 200 acres. I am convinced that the protection offered by wilderness makes sense for these special sites.

The proposed St. Mary's Wilderness Area is 10,090 acres in southeastern Augusta County. It is situated mostly within the watershed of the St. Mary's River and its tributaries. The site lies on the western slopes of the Blue Ridge just off the Blue Ridge Parkway. The most outstanding feature of this area is the St. Mary's River itself and its numerous cascades.

The St. Mary's River is classed as a Number 1 native trout stream in its upper reaches and Number 2 in the lower reaches. The stream contains native trout. Because of its rugged terrain, St. Mary's is also prime bear habitat.

Ramsey's Draft is another good wilderness candidate. It is 6,725 acres in northwestern Augusta County and located just off Route 250. The boundary of Ramsey's Draft is the ridge of mountains which surround the draft. It is a beautiful area with large stands of virgin timber and is a popular area for hikers and campers. The area also has a good parking area adjacent to it just off Route 250.

The Thunder Ridge Wilderness proposal will complement the existing adjacent James River Face Wilderness Area. This will provide a continuous wilderness area in the Blue Ridge Mountains chain from the James River to Apple Orchard Mountain, and it includes a portion of the Appalachian Trail. The two wilderness areas are separated only by Petites Gap Road. A two-acre trail head parking area is provided for. James River Face is a permanent class I air quality area.

In addition to these three sites, H.R. 5121 also adds 160 acres to the James River Face Wilderness Area. As I indicated, the Thunder Ridge Wilderness Area would be adjacent to the James River Face Wilderness Area with a road separating the two areas. In several small sections, however, designating Thunder Ridge as a wilderness area would leave small pockets of non-wilderness Forest Service lands surrounded by wilderness areas. The addition of the 160 acres to the James River Face Wilderness Area eliminated these non-wilderness pockets and improves the ability of the Forest Service to manage both wilderness areas more effectively.

At two of the sites recommended for wilderness designation by the U.S. Forest Service--Rough Mountain and Rich Hole--concerns have been raised by some that wilderness designations might restrict economic growth in nearby communities.

Ensuring that future economic growth is not jeopardized is an important priority. I have received conflicting information on the Clean Air Act implications of wilderness designations for Rough Mountain and Rich Hole. I view this as an important scientific and technial issue which needs to be addressed in a dispassionate, scientific manner before we proceed with designation recommendations for these two sites.

Toward this goal, Congressman Boucher and I have written to the Environmental Protection Agency requesting that agency to conduct a thorough review of the Clean Air Act issues and questions which have been raised in this debate. Mr. Chairman, for the record I have attached a copy of the letter to EPA Administrator Ruckelshaus at the end of my statement.

H.R. 5121 and S. 2085 designate these two sites as wilderness study areas. The same is true for Barbours Creek and Shawvers Run in Craig County in Mr. Boucher's district. Keeping these areas as wilderness study sites will protect them from development and maintain their natural character and integrity. At the same time, it provides us with the time needed to resolve technical, scientific questions on the Clean Air Act without holding hostage the other areas provided for under H.R. 5121 and S. 2805.

The remaining site recommended for wilderness designation by the U.S. Forest Service under its RARE II study was Head of Dry Run in Rockingham County. In 1980, the Forest Service reassessed this site and changed it recommendation from wilderness to multiple-use. This change was based on the small size of Head of Dry Run--1,3000 acres--and the difficulties the Forest Service would encounter in trying to manage a wilderness area of such small size. I have concurred with the Forest Service in this assessment of the site and have not recommended it for wilderness.

Other than the four specific sites placed into wilderness study and those designated for wilderness, all other sites in Virginia in the George Washington and the Jefferson National Forests reviewed under RARE II would be returned to multiple-use management under H.R. 5121 and S. 2805.

While there is no language in either H.R. 5121 or S. 2805 on the treatment of the existing trail shelters within these proposed wilderness areas, I believe that these existing shelters should be allowed to stand. They provide a legitimate protection that maintains the integrity of these wilderness areas. In addition, I believe that maintenance of these shelters should continue to be permitted. In the 6th Congressional District there is one such shelter, the Sexton Shelter in Ramsey's Draft which is maintained by the Potomac Appalachian Trail Club. I suggest that language to permit the maintenance of existing shelters be included in the committee's report.

Again, Mr. Chairman, let me commend Senators Warner and Trible for introducing S. 2805. I hope the Committee wil agree with us that this is a fair bill which deserves your support and action.

March 15, 1984

The Honorable William D. Ruckelshaus
Administrator
Environmental Protection Agency
401 M Street, SW
Washington, DC 20460

Dear Mr. Ruckelshaus:

In evaluating U.S. Forest Service proposals to designate National Forest System lands in our Congressional Districts as wilderness, we have found considerable disagreement on the question of whether designating areas as wilderness might impose Clean Air Act restrictions which might hamper economic growth in nearby communities.

While all of the areas proposed for wilderness are currently class II, as defined under the Clean Air Act of 1977, concerns exist that these areas might be redesignated to class I sometime in the future. We have been presented with conflicting data on whether class I air quality standards at three specific sites would impose restrictions on possible future expansions of the Westvaco Corporation at its Covington, Virginia facility. These sites are: Rough Mountain, in Bath County; Rich Hole, in Alleghany and Rockbridge Counties; and, Barbours Creek, in Craig County. These are identified on the enclosed map.

We are anxious to maintain a climate which is conducive to future economic growth and job creation in Virginia. Nevertheless, we also support the preservation of wild and primitive areas for future generations.

Since the Environmental Protection Agency is charged with administering the Clean Air Act, and the wilderness debate on the three areas cited above is essentially a technical and scientific one on the impact of the Clean Air Act at these specific sites, we are asking for your help in better understanding the facts. It would be very helpful for us to have your opinion as to the circumstances, or lack thereof, under which a class I designation at each of these sites would impose restrictions on future expansions at Westvaco Corporation's facility in Covington. We would also appreciate some estimates on the likelihood of any scenarios under which restrictions would be placed on Westvaco and the costs of existing technologies for meeting and complying with those restrictions.

We recognize that the answers to these questions will take some analysis by your agency; however, it is important for us to have a sound opinion based on scientific and technical fact, not emotion or idle conjecture. We would very much appreciate your opinion so that we may proceed in a thoughtful way on the wilderness recommendations for the sites referenced above.

Please keep us apprised of your progress in answering these questions. If we can provide you with any information or answer any questions on this for you, please don't hesitate to let us know.

Sincerely,

Jim Olin
MEMBER OF CONGRESS

Frederick C. Boucher
MEMBER OF CONGRESS

STATEMENT OF HONORABLE FREDERICK C. BOUCHER
REPRESENTATIVE IN CONGRESS FROM THE 9th DISTRICT OF VIRGINIA

Mr. Chairman and Members of the Subcommittee, I appreciate having the opportunity to present testimony in support of the Virginia National Forest Wilderness Preservation Act of 1984. As you know, Congressman Olin and I, joined in sponsorship by Congressman Whitehurst, introduced a bill very similar to S. 2805, H.R. 5121, which the House approved in May by a margin of 376 to 20. Although I will primarily refer to H.R. 5121 in my testimony, I want to stress that I fully support the three provisions of S. 2805 which differ from H.R. 5121.

I would like to begin by thanking Senators Warner and Trible for introducing S. 2805. Virginia is blessed with beautiful natural resources, and I commend them for taking this step to ensure that these treasures are preserved for our continued enjoyment and that of future generations.

Like many of the wilderness bills which this subcommittee considers, H.R. 5121 represents a balance of diverse interests which was developed through many months of debate and discussion. Congressman Olin and I worked closely with the Forest Service field representatives who are most familiar with the RARE II study areas, and our bill reflects their advice. We also attempted to work with as many of the Forest users as possible. H.R. 5121 was drafted after careful consideration of the interests of those to whom the Forest is a means of livelihood, a recreational resource, an avenue of learning and scientific study, or a provider of drinking water. The selection of areas for wilderness protection and the recommendations for the boundaries of each of these areas evolved from the suggestions of thousands of Virginia citizens.

H.R. 5121 designates as wilderness for hunting, fishing, camping, hiking and other compatible uses approximately 56,000 acres, comprising less than 4% of Virginia's National Forest lands. It places approximately 25,000 acres in further study, and it releases to multiple use 157,240 acres which have been studied and restudied for possible wilderness designation.

It has been a pleasure to work with my colleague from the Sixth District of Virginia on this vital legislation and I am pleased that Congressman Olin is also testifying today. Since a number of the witnesses here will be discussing the specifics of our proposed wilderness areas, I would like to briefly describe the areas we are recommending for wilderness and for further study which lie in my own congressional district.

We are proposing that 7 sites totaling 45,124 acres in the Ninth Congressional District be designated as wilderness. Two sites totaling 9,585 acres are recommended for further study.

In Tazewell County, 5,115 acres of the Beartown RARE II study area will be designated as wilderness, thereby protecting the popular native trout streams, three zones of vegetation types and excellent hunting grounds. The designation of these areas has been strongly promoted by the Tazewell County Sportsmen's Club, and the boundaries we have selected are supported by local users as well as those from neighboring counties.

In the Mount Rogers Recreation Area in the Counties of Smyth and Grayson, two unique areas totaling just over 9,500 acres will be designated as wilderness. Forest users enjoy the scenic areas of Lewis Fork and Little Wilson Creek for day-hiking and horseback riding. The Lewis Fork area is traversed by the Appalachian Trail, and it has been under consideration for possible reintroduction of the golden eagle.

In Wythe County, to the east of Lewis Fork and Little Wilson, lies the area of Little Dry Run. This roadless and remote area is representative of the Appalachian Forest ecosystem, providing a home for deer, turkey, squirrel, grouse, songbirds and other non-game animals. The total acreage of Little Dry Run is 3,400.

Kimberling Creek in Bland County is popular for hunting and camping. The stands of mixed hardwoods and white and yellow pines in this 5,580-acre tract offer little commercial development value, and recreation is clearly the most appropriate usage for this area.

The largest and perhaps most spectacular proposed wilderness in my District is the Mountain Lake area in Giles County--part of a highland plateau sitting squarely on the eastern continental divide. This area is the home of the University of Virginia's Biological Monitoring Research Station. Mountain Lake also contains stands of virgin spruce and hemlock and a 10-acre mountain bog.

Just west of Mountain Lake lies Peters Mountain, a 3,300 acre tract which contains a beautiful high mountain bog and a popular trout stream. On a recent trip through this portion of my District, I learned that this area was named for the pioneer Christian Peters who founded the village of Peterstown, West Virginia. I was pleased to meet with one of Mr. Peters descendents and received her strong endorsement for the protection of this very special area.

Each of these areas which our legislation would place in the National Wilderness Preservation System has been recommended for wilderness designation by the Forest Service. Congressman Olin and I consulted with local citizens and elected officials in the affected counties with regard to each of these areas. With the clear understanding the wilderness areas will remain open to hunting and fishing and that wilderness legislation will not impair the rights of any private property owners or result in any condemnation of land by the Federal Government, a strong consensus has developed in favor of the designation of these areas.

The one area which has occasioned considerable disagreement between local citizens and the Forest Service is in Craig County. This disagreement centers on the Forest Service's multiple use recommendation for the Barbours Creek study area. I am pleased with the cooperation which my office has received from the Forest Service, which appears to stand by its original recommendation, and from the local citizens and Board of Supervisors, who strongly endorse the wilderness designation of this area.

My office worked with the proponents of the Barbours Creek wilderness to focus on the resources the citizens are most interested in conserving. We have redrawn the boundaries, removing in this process several traveled roads and other areas which appear to be more suited for multiple use. In so doing we have created two separate areas, Barbours Creek and Shawvers Run, both of which include excellent hunting grounds and native trout streams. Our legislation places both Barbours Creek and Shawvers Run into further study, offering the protection of special management until such time as Congress acts to alter their status. I would have been pleased to place both of these areas in wilderness at this time were it not for a very important Southwest Virginia employer, the concerns of which I would also like to address.

As you will hear today, Mr. Chairman, the Westvaco Corporation has expressed concern that the designation of areas as wilderness may at some point in the future be followed by their redesignation as Class I regions for purposes of the Clean Air Act. Westvaco has recently announced an important expansion of its Covington, Virginia plant and is concerned that such a redesignation might impair the expansion.

Congressman Olin and I have met and worked with Westvaco officials on a number of occasions, as have Senators Warner and Trible, in an effort to understand fully their concerns and determine how we might best address them. Our discussions have spanned many months, and our efforts have included a review of the history of other wilderness areas nationwide, consideration of air modeling data, and development of report and floor language stating the adequacy of Class II Clean Air Act standards for our proposed wilderness areas.

The Virginia National Forest Wilderness Act represents a sincere and, we believe, reasonable approach to the concerns raised by Westvaco. This legislation leaves in place the current Class II air standards for each of the proposed wilderness areas, and we will oppose any change of these standards to a more restrictive category. I am of the view that the existing Class II standards offer ample protection to both the wilderness resources and the business development opportunities of neighboring communities. The report of the House Interior Committee also states that Class II air quality standards are sufficient to protect the proposed wilderness areas.

Further, I have discussed Westvaco's concerns with representatives of national environmental organizations which have an interest in the Clean Air Act and in wilderness legislation. I was pleased to learn that neither the Sierra Club nor the Wilderness Society has any plans to recommend new Class I designations in Virginia, and I have attached to this testimony a copy of the letter received from those organizations so stating.

I am also pleased to report that leaders in the Virginia conservation community have been willing to document their intentions in this areas as well. I am also attaching to this testimony a second letter I received from representatives of environmental organizations in Virginia stating clearly that these groups will not seek and will not support redesignation of our proposed wilderness areas to Class I.

Notwithstanding these significant assurances and my own firm belief that the probability of either the Governor of Virginia or the Congress redesignating these areas to Class I is extremely remote, Mr. Olin and I have taken an additional step to assure our friends at Westvaco that their expansion will not be impaired by the passage of our bill.

For the four areas which are closest to Westvaco's plant, we have chosen not to make wilderness recommendations at this time. On the other hand, because of strong citizen interest in the preservation of these areas and the value of their wilderness resources, we are not releasing to multiple use Barbours Creek, Shawvers Run, Rich Hole or Rough Mountain. To balance all interests, we have placed these areas in further study with the stipulation that they be managed to protect their wilderness values until further act of the Congress determines their final status. S. 2805 also places these four areas in further study and adds a provision, which I fully support, that directs the National Forest Service, in conjunction with the Environmental Protection Agency and the Commonwealth of Virginia, to study the affects of air quality standards in the areas adjacent to Barbours Creek, Shawvers Run, Rough Mountain, and Rich Hole wilderness study areas. This study is to be completed no later than two years after the date of the bill's enactment.

While I do not believe that there is a realistic cause for concern that a futher Congress would upgrade air quality standards for wilderness areas, I welcome this move to reassure concerned parties that wilderness designation will not prove detrimental to economic development and expansion in Virginia.

S. 2085 also includes language prohibiting the establishment of buffer zones around the wilderness areas. Although I believe that H.R. 5121 is clear in its sole applicability to designated wilderness and not to adjoining areas, I have no objection to this provision.

Finally, S. 2805 adds 40 acres, for a total of 200 acres, to the James River Face Wilderness area. I understand that the Forest Service has requested this addition so that adequate access to the area is assured. I support this addition.

In summary, I fully support Virginia Wilderness legislation with the three provisions which the Senators have added, and I believe that it deserves the favorable consideration of this committee. H.R. 5121 preserves in perpetuity some of the outstanding natural treasures of Western and Southwestern Virginia. It balances the interests of the various groups concerned with the resources of our National Forests, and it is broadly supported by the citizens which Congressman Olin and I have the privilege of representing.

STATEMENT OF HONORABLE G. WILLIAM WHITEHURST
REPRESENTATIVE IN CONGRESS FROM THE 2nd DISTRICT OF VIRGINIA

Mr. Chairman, Members of the Subcommittee, it is my pleasure to speak out in favor of the Virginia Wilderness Bill that passed the House in May, and is under consideration by this subcommittee.

We in Virginia have long recognized the need to balance the interests of business and industry with our obligation to protect our natural resources for future generations. I feel that the wilderness bill strikes this delicate balance.

The legislation passed by the House sets aside approximately 56,000 acres of wilderness for hunting, fishing, camping, hiking and other outdoor uses. Despite claims to the contrary this acreage is but a fraction of the total lands designated as National Forests. The bill also places 25,000 acres in further study and frees 135,000 acres for multiple use.

The drafting of this legislation was not hasty, and instead, was the outgrowth of a coordinated effort between the Forest Service and the Commonwealth of Virginia to deal most appropriately with these lands.

The result of this study is a careful, controlled plan that will ensure both the health and vitality our industry, and the integrity of our forests.

Again, Mr. Chairman, I urge you to support this legislation.

Thank you for allowing me the opportunity to express my views, and the views of many of my constituents, to this subcommittee.

STATEMENT OF DAVID COCKRELL, PH.D., ASSISTANT PROFESSOR, OUTDOOR RECREATION, VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY AND IMMEDIATE PAST CHAIRMAN, VIRGINIA COUNCIL ON OUTDOOR ADVENTURE EDUCATION

Virginia is unusual in supporting a state professional organization of outdoor educators who lead educational, recreational, and therapeutic wilderness trips as a livelihood. The Virginia Council on Outdoor Adventure Education represents some one hundred fifty individual outdoor educators and organizations engaged in private, private non-profit and public outdoor programming. Members include:

- Private profit-making adventure education enterprises;
- Public school administrators and teachers;
- College educators;
- Public recreation center programmers and leaders;
- Grant-funded therapeutic programs serving a broad range of disabilities from emotionally disturbed adolescents to multihandicapped senior citizens;
- Executive effectiveness training consultants.

The Virginia Council, established in 1979, has made great strides in promoting outdoor adventure education, offering skill-sharing workshops for outdoor educators, developing a consultation network for programs using outdoor adventure education, and developing a program of self-regulation and guidelines. Much of this work is dependent upon the continued preservation of high quality wilderness in Virginia.

The Virginia Council represents two unique arguments for classification of the eleven proposed study areas into the National Wilderness Preservation System. First, wilderness classification would ensure, rather than impede, employment opportunities for this dynamic and growing education profession. Additional employment in wilderness trip leadership could offset considerably any lost employment from sacrificed opportunities for resource harvesting. Secondly, the breadth of interests represented by the Virginia Council suggests that wilderness currently provides social, psychological, and educational benefits more diverse even than those envisioned by such early wilderness proponents as Bob Marshall, Aldo Leopold and Howard Zahniser. Wilderness *in Virginia* is currently a social and psychological resource measurable in economic terms. Let me address each of these two points separately.

In 1983, the 35 organizational members of the Virginia Council were estimated to employ 105 full time professionals and 350 seasonal employees. Individual outdoor educators in the Council, employed in organizations not choosing to affiliate as a unit, constituted another 77 positions. At least nine of Virginia's institutions of higher learning employ faculty or staff with responsibilities including wilderness trip leadership. At least four of these institutions (Virginia Tech, Radford University, Ferrum College, and Dabney-Lancaster Community College) offer degree programs in Outdoor Recreation/Education preparing students for entry into the profession. Thus, some 550 Virginians received a portion of their 1983 income from employment in outdoor adventure education, and affiliated in some way with Virginia Council on Outdoor Adventure Education. Additionally, many college and university students have been introduced to the profession through school programs. Furthermore, the Council is aware of a number of professional educators, therapists and guides in the state who conduct wilderness trips, but choose not to affiliate with the Council.

This industry is small in Virginia, and it is struggling for recognition and acceptance. It is a growing industry, however, and it has thrived during a period of privatization fostered by Reagan administration reductions in grant funding. While adventure educators use such activities as whitewater paddling, rock climbing, and initiatives courses, the basic educational or therapeutic tool is the wilderness experience. Clients deal with environmental demands in wilderness, where natural processes rather than works of man prevail. Wilderness demands are often challenging, and growth in self-esteem, self-confidence, assertiveness, and social skils have been shown to result from meeting the challenges. *Thus, the economic backbone of adventure education is a wilderness system accessible to the professionals who employ wilderness experiences in social service*.

Beyond the economic benefits accruing to professional outdoor educators, the educational and therapeutic benefits received *by the clients* of these educators are noteworthy. A growing body of research is documenting many psychological changes attributable to wilderness experiences (Gibson, 1979; Iida, 1975). Such changes emphasize personality development (increased autonomy, self-reliance, assertiveness and compassion); self-concept improvement; enhancement of group problem-solving skills and socialization; achievement motivation; environmental awareness and other effects. In Virginia, evaluation research conducted on the Norfolk Wilderness Challenge School (Virginia Division of

Justice and Crime Prevention, 1981) and the Virginia 4-H Wilderness Challenge Program (Cockrell, 1983) has shown improved self-concept and school performance resulting from participation in wilderness programs.

The traditional clients for wilderness programs have been disadvantaged or pre-delinquent youth. However, changes in funding priorities and recognition of the broad societal demand for adventure and challenge have caused outdoor educators to take their services to other populations. Inner Quest, Inc. (Herndon, Va.) and the Outdoor School (Herndon, Va.), both provide affective education and skills training in wilderness on a contract basis with school groups. Inner Quest, Inc., and The Growing Edge (Richmond) assist in executive effectiveness training for large corporations. Washington Women in the Outdoors (Washington, D.C.) and Great Encounters (Washington, D.C.) offer women's programs designed to build wilderness skills and self-confidence. Chesterfield County, Montgomery County, Blacksburg, and Danville Va. Parks and Recreation Departments (among others) currently offer a broad range of wilderness programs to the general public. Current expansion of organized educational wilderness use in many segments of society is evidenced by the recently revised U.S. Forest Service outfitters and guides policy, which now treats educational and therapeutic use of wilderness as a special category of use (U.S. Forest Service, 1984).

As a closing note, I wish to mention that the Virginia Council regards the current Virginia Wilderness Bill as a considerable compromise of what began as a much larger list of roadless areas. The unsuccessful effort to gain the support of Westvaco Corporation by designating Rough Mountain, Rich Hole, Barbours Creek and Shawvers Run as study areas now seems to us a major sacrifice. While our organization can still spport the current compromise bill, we would find further dilution of the effort undesirable. We applaud the additional acreage proposed for the James River Face. Addition in the Senate version of the bill. Finally, our organization has no objection to the call for an air quality study included in this bill, nor for the clarification concerning wilderness "buffer zones".

(The following material was submitted by James Loesel, Rockbridge Area Conservation Council, Lexington, VA.)

Appendix A

The proposed Rough Mountain Wilderness consists of RARE II roadless area 08040.

This proposal is located in the Sixth Congressional District of the State of Virginia. The proposal involves approximately 9,300 acres of George Washington National Forest land.

I. Description of Proposal

The area is essentially inaccessible by vehicle. Elevations range from 1,400 feet to 2,600 feet and conspicuous rock escarpments dominate the upper reaches. Past management was largely custodial due to the steep, rocky slopes. Logging has taken place in the hollows on the lower west slopes.

Vegetation is primarily upland oaks with pitch and Table Mountain pine on the poorer sites. Deer, turkey, squirrel and grouse are the major wildlife species.

II. Water Resource

Acres of Withdrawals	0	Types	0
Number of Impoundments	0	Area	0

III. Mineral and Energy Resources

	Numerical Rating	Ratings
Hardrock Minerals	0	100 - Producing
Oil and Gas	51	81-99 - High Potential
Uranium	0	41-80 - Moderate Potential
Coal	0	0-40 - Low Potential
Geothermal	0	Negative Number Means
Low Value Bulk	34	Insufficient Data

Number of production sites - 1970 to present 0

Number of significant exploration projects-1970 to present 0

IV. Recreation

Present Use - Thousand Recreation Visitor Days

Picnicking and Camping	0
Skiing	0
Water Related	0
Dispersed Nonmotorized Use	1.0
Dispersed Motorized Use	1.0
Special Designated Areas	0
Potential Winter Sports Sites	0

V. Fish and Wildlife

Wilderness associated wildlife species and essential or non-essential habitat in the area.

Black Bear	NE	Bobcat	NE

Threatened or endangered wildlife species 0

Present Use - Thousand Recreation Visitor Days

Hunting	1.2
Fishing	0
Nonhunting	0

VI. Grazing

Total animal unit months of grazing 0

Value of range improvements 0

VII. Timber

Acres of commercial forest land 6,612

	Total Growing Stock Volume
Hardwood Sawtimber	21.0 MMBF
Total Hardwood (Sawtimber & Products)	9.2 MMCF
Softwood Sawtimber	6.0 MMBF
Total Softwood (Sawtimber Products)	1.6 MMCF

Annual Sell Volume		Short-term	Long-term
Sawtimber	MMBF	0.2	0.4
Products	MMCF	0.2	0.3

Five Year Action Plan		Number of Sales	Volume of Sales
Sawtimber	MMBF	0	0
Products	MMCF	0	0

Presence and extent of epidemic or near epidemic insect and/or disease infestations 0.

VIII. Special Uses

Number of special uses not compatible with wilderness management 0.

Cost to acquire nonwilderness uses 0.

IX. Other Ratings

Composite wilderness attributes (includes naturalness, apparent naturalness, opportunity for solitude, and primitive recreation - range 4-28) 20.

Supplementary wilderness attributes based on presence of extraordinary ecological, geological, scenic, and cultural features - range 1-7 2.

Development opportunity rating of area - range 0-15 with 15 being most cost effective 0.

Opportunity cost or estimate of total present net value of nonwilderness resources 0.0.

The proposed Rich Hole Wilderness consists of RARE II roadless area 08041.

This proposal is located in the Sixth Congressional District of the State of Virginia. It involves approximately 4,830 acres of George Washington National Forest land.

I. Description of Proposal

The terrain of the Rich Hole Area is typical of the Appalachian Mountains, having no roads or other cultural works except foot trails. The upper coves contain remnants of the virgin hardwood forests. The area in the northern drain would provide opportunities for educational and scientific study because of the diversity in timber types and stand conditions which are present.

A portion of the area is listed on the National Registry of Natural Landmarks, but cannot be officially designated because of private land boundary.

The Government owns all minerals on National Forest land within the area. Exon Corporation purchased oil and gas leases on 10/1/78 with provisions for no surface occupancy.

Wildlife species include, deer, turkey, and numerous small mammals. Fishery habitat is limited.

II. Water Resource

Acres of Withdrawals	0	Types	0
Number of Impoundments	0	Area	0

III. Mineral and Energy Resources

	Numerical Rating	Ratings
Hardrock Minerals	39	100 - Producing
Oil and Gas	46	81-99 - High Potential
Uranium	0	41-80 - Moderate Potential
Coal	0	0-40 - Low Potential
Geothermal	0	Negative Number Means
Low Value Bulk	34	Insufficient Data

Number of production sites - 1970 to present 0

Number of significant exploration projects-1970 to present 0

IV. Recreation

Present Use - Thousand Recreation Visitor Days

Picnicking and Camping	0
Skiing	0
Water Related	0
Dispersed Nonmotorized Use	1.0
Dispersed Motorized Use	0
Special Designated Areas	0
Potential Winter Sports Sites	0

V. Fish and Wildlife

Wilderness associated wildlife species and essential or non-essential habitat in the area.

Black Bear	NE	Bobcat	NE

Threatened or endangered wildlife species 0

Present Use - Thousand Recreation Visitor Days

Hunting	5.0
Fishing	0
Nonhunting	0

VI. Grazing

Total animal unit months of grazing 0

Value of range improvements 0

VII. Timber

Acres of commercial forest land 4,950

	Total Growing Stock Volume
Hardwood Sawtimber	16.0 MMBF
Total Hardwood (Sawtimber & Products)	6.9 MMCF
Softwood Sawtimber	4.0 MMBF
Total Softwood (Sawtimber Products)	1.2 MMCF

Annual Sell Volume		Short-term	Long-term
Sawtimber	MMBF	0.2	0.4
Products	MMCF	0.2	0.3

Five Year Action Plan		Number of Sales	Volume of Sales
Sawtimber	MMBF	0	0
Products	MMCF	0	0

Presence and extent of epidemic or near epidemic insect and/or disease infestations 0.

VIII. Special Uses

Number of special uses not compatible with wilderness management 0.

Cost to acquire nonwilderness uses 0.

IX. Other Ratings

Composite wilderness attributes (includes naturalness, apparent naturalness, opportunity for solitude, and primitive recreation - range 4-28) 22.

Supplementary wilderness attributes based on presence of extraordinary ecological, geological, scenic, and cultural features - range 1-7 4.

Development opportunity rating of area - range 0-15 with 15 being most cost effective 13.

Opportunity cost or estimate of total present net value of nonwilderness resources 0.51.

The proposed Ramsey's Draft Wilderness consists of RARE II roadless area 08044.

This proposal is located in the Sixth Congressional District of the State of Virginia and involves approximately 6,700 acres of George Washington National Forest land.

I. Description of Proposal

The terrain is rugged and steep. Timber stands vary from chestnut oak on the ridges, white oak, red oak, and black oak on the slopes, to a mixture of white pine, hemlock, and cove hardwoods in the bottoms. There are small areas of northern hardwood timber type high in some of the lesser drains.

The principal features of the area are the virgin stream botton stands with white pine, cove hardwoods, and hemlock. The stands are overmature and the individual trees are large in diameter and very tall, especially when compared to the typical timber stand within the local area. The stream bottom stands have little undergrowth due to the shade of the tall, dense canopy. These stands are dark, open, and park-like.

Ramsey's Draft is a tumbling mountain stream. Jerry's Run is the only large tributary flowing into Ramsey's Draft within the boundary.

Mineral rights are outstanding on the entire area, but the rights are currently under Forest Service option for purchase.

Deer, bear, bobcat, turkey and fox are the larger wildlife species.

II. Water Resource

Acres of Withdrawals	0	Types	0
Number of Impoundments	0	Area	0

III. Mineral and Energy Resources

	Numerical Rating	Ratings
Hardrock Minerals	0	100 - Producing
Oil and Gas	61	81-99 - High Potential
Uranium	0	41-80 - Moderate Potential
Coal	0	0-40 - Low Potential
Geothermal	0	Negative Number Means
Low Value Bulk	34	Insufficient Data

Number of production sites-1970 to present 0

Number of significant exploration projects-1970 to present 0

IV. Recreation

Present Use - Thousand Recreation Visitor Days

Picnicking and Camping	0
Skiing	0
Water Related	0
Dispersed Nonmotorized Use	7.0
Dispersed Motorized Use	0
Special Designated Areas	0
Potential Winter Sports Sites	0

V. Fish and Wildlife

Wilderness associated wildlife species and essential or non-essential habitat in the area.

Black Bear	NE	Bobcat	NE

Threatened or endangered wildlife species 0

Present Use - Thousand Recreation Visitor Days

Hunting	1.1
Fishing	2.0
Nonhunting	0

VI. Grazing

Total animal unit months of grazing 0

Value of range improvements 0

VII. Timber

Acres of commercial forest land 4,906

	Total Growing Stock Volume
Hardwood Sawtimber	31.9 MMBF
Total Hardwood (Sawtimber & Products)	13.8 MMCF
Softwood Sawtimber	8.2 MMBF
Total Softwood (Sawtimber Products)	2.2 MMCF

Annual Sell Volume		Short-term	Long-term
Sawtimber	MMBF	0.2	0.8
Products	MMCF	0.1	0.4

Five Year Action Plan		Number of Sales	Volume of Sales
Sawtimber	MMBF	0	0
Products	MMCF	0	0

Presence and extent of epidemic or near epidemic insect and/or disease infestations 0.

VIII. Special Uses

Number of special uses not compatible with wilderness management 0.

Cost to acquire nonwilderness uses 0.

IX. Other Ratings

Composite wilderness attributes (includes naturalness, apparent naturalness, opportunity for solitude, and primitive recreation - range 4-28) 23.

Supplementary wilderness attributes based on presence of extraordinary ecological, geological, scenic, and cultural features - range 1-7 3.

Development opportunity rating of area - range 0-15 with 15 being most cost effective 4.

Opportunity cost or estimate of total present net value of nonwilderness resources 0.0.

The proposed St. Mary's Wilderness consists of RARE II roadless area 08042.

This proposal is located in the Sixth Congressional District of the State of Virginia involving approximately 10,100 acres of George Washington National Forest land.

I. Description of Proposal

The area is situated mostly within the watershed of St. Mary's River and its tributaries and lies on the western slop of the Blue Ridge. The interior of the area is characterized by rugged terrain, thick underbrush and numerous cliffs.

The outstanding feature of the area is St. Mary's River with its numerous cascades. The stream is being managed as a native fishery and is recognized by the State of Virginia as one of the Commonwealth's scenic resources.

Vegetation is upland oak species giving way to pitch and Table Mountain pines on the poorer rocky sides. Deer, bear, turkey, squirrel and grouse occupy the habitat in addition to numerous smaller birds and animals.

Mineral rights are outstanding on 82 acres--reduced when boundary was revised.

II. Water Resource

Acres of Withdrawals	0	Types	0
Number of Impoundments	0	Area	0

III. Mineral and Energy Resources

	Numerical Rating	Ratings
Hardrock Mineral	59	100 - Producing
Oil and Gas	33	81-99 - High Potential
Uranium	0	41-80 - Moderate Potential
Coal	0	0-40 - Low Potential
Geothermal	0	Negative Number Means
Low Value Bulk	60	Insufficient Data

Number of production sites-1970 to present 0

Number of significant exploration projects-1970 to present 0

IV. Recreation

Present Use - Thousand Recreation Visitor Days

Picnicking and Camping	0
Skiing	0
Water Related	0
Dispersed Nonmotorized Use	2.0

Dispersed Motorized Use	0
Special Designated Areas	0
Potential Winter Sports Sites	0

V. Fish and Wildlife

Wilderness associated wildlife species and essential or non-essential habitat in the area.

Black Bear	NE	Bobcat	NE

Threatened or endangered wildlife species 0

Present Use - Thousand Recreation Visitor Days

Hunting	1.1
Fishing	2.0
Nonhunting	0

VI. Grazing

Total animal unit months of grazing 0

Value of range improvements 0

VII. Timber

Acres of commercial forest land 6,446

	Total Growing Stock Volume
Hardwood Sawtimber	20.9 MMBF
Total Hardwood (Sawtimber & Products)	9.0 MMCF
Softwood Sawtimber	5.5 MMBF
Total Softwood (Sawtimber Products)	1.6 MMCF

Annual Sell Volume	Short-term	Long-term
Sawtimber MMBF	0.2	0.5
Products MMCF	0.1	0.3

Five Year Action Plan	Number of Sales	Volume of Sales
Sawtimber MMBF	0	0
Products MMCF	2	1.0

Presence and extent of epidemic or near epidemic insect and/or disease infestations 0.

VIII. Special Uses

Number of special uses not compatible with wilderness management 0.

Cost to acquire nonwilderness uses 0.

IX. Other Ratings

Composite wilderness attributes (includes naturalness, apparent naturalness, opportunity for solitude, and primitive recreation - range 4-28) 20.

Supplementary wilderness attributes based on presence of extraordinary ecological, geological, scenic, and cultural features - range 1-7 3.

Development opportunity rating of area - range 0-15 with 15 being most cost effective 5.

Opportunity cost or estimate of total present net value of nonwilderness resources 0.01.

EXECUTIVE SUMMARY
PROPOSED VIRGINIA WILDERNESS AREAS INCLUDED IN H.R. 5121

COMPILED BY EMMITT PRITCHARD AND DAVID COCKRELL, PH.D., DIVISION OF HEALTH, PHYSICAL EDUCATION AND RECREATION, VIRGINIA POLYTECHNIC INSTITUTE, BLACKSBURG, VA.

Mountain Lake Wilderness Study Area
Total Area: 11,283 Acres

Location and Access

The Mountain Lake Study Area contains acreage in Giles and Craig Counties, Virginia, and Monroe County, West Virginia. Primary access is provided by I81 to US-460 to VA-700 to VA613.

Geographical and Topographical Features

Elevations range from 2,200 to 4,100 feet. National Forest lands border the area in all directions except the Southwest. Four creeks have their headwaters in the study area: The White Rocks Branch of Stony Creek; Little Stony Creek; Potts Creek; and Johns Creek, the major drainage for the unit.

Current Uses

Hiking, backpacking, hunting, fishing, cross-country skiing and nature studies are the major recreation activities of the unit. Approximately two miles of the Appalachian Trail are within the unit. Recreation facilities include the War Spur Appalachian Trail shelter near Johns Creek and the War Spur Overlook. Deer, turkey, grouse and squirrel populations attract a number of individuals to the area. Berry picking opportunities are also available.

Natural Appearance

Mountain Lake is diverse in its appearance due to its steep mountainous terrain. The forests consist mainly of Appalachian hardwoods. In addition to unique spruce bogs and native trout streams in the area, a number of undisturbed pockets of land with high natural integrity are present. The timber resource in this area is not considered to be of exceptional quality by the Forest Service. The combination of poor sites and weak markets makes its value relatively low. The opportunities for solitude are excellent. Both consumptive and nonconsumptive recreation opportunities are provided by the combination of undisturbed tracts of land, unique land forms, and diverse flora and fauna.

Special Features

In addition to being located near Mountain Lake, one of the only two natural lakes in Virginia, the area offers windswept cliffs, Mann's Bog, native trout streams and healthy population of game and non-game wildlife species.

Kimberling Creek Wilderness Study Area
Total Area: 5,580 Acres

Location and Access

The Kimberling Creek area is located in Southwest Virginia in Bland County. Access to the area is provided vis I-77, U.S. 21 and 52, and State maintained and graded Forest Service roads.

Geographical and Topographical Features

Topography is considered moderate with elevations ranging from 2,500 to 3,000 feet. Soils are classed as low to moderately productive with a severe erosion potential. Private lands border the area on all but the south side.

Current Uses

Dispersed recreation is the dominant use of this area. Hunting, hiking, camping, and natural study are major uses. The area received over 8,500 recreational use visitor days between 1981 and 1982. Deer, turkey and grouse hunting are major attractions. Raccoon and squirrel are also available, as are a variety of songbirds.

Natural Appearance

The area is forested with dense stands of second and third growth Appalachian hardwoods. It is virtually undisturbed by roads or man-made developments. Because of the lack of developments and limited access, the area has maintained a high level of natural integrity.

Special Features

The area is rated quite highly for its natural appearance and would serve as a gene pool and ecological benchmark for monitoring developments in similar non-wilderness areas.

Peters Mountain Wilderness Study Area
Total Area: 3,326 Acres

Location and Access

Peters Mountain is located in Giles County, Virginia, approximately ten miles northeast of Pearisburg. Primary access is by U.S. 460 and State secondary and Forest service graded roads.

Geographic and Topographical Features

The area is located on the southeast side of Peters Mountain in the Valley and Ridge Physiographic Province of the Alleghany Mountains. Topography is rugged and steep. Elevations range from 2,000 to 3,956 feet, with a number of sandstone outcroppings. Soils are stony, shallow and not very productive.

Current Uses

Dispersed recreation is the dominant use with 14,000 visitor days recorded in 1981 and 1982. Hiking, camping, hunting and horseback riding are all popular. Stony Creek, along the southern boundary, is a stocked trout stream which attracts a large number of fishing enthusiasts. Big and small game, and upland bird hunting are major attractions. Opportunities for challenging and primitive recreation are considered excellent, while opportunities for solitude are moderate.

Natural Appearance

Peters Mountain is a steep, rectangular 50-70 year old upland oak forest. Blueberry, blackberry, mountain laurel and greenbriar are common understory plants. An interesting hemlock bog is located at the head of Pine Swamp Branch, and a small natural pond can be seen near the crest in the western portion of the area. The area suports populations of turkey, white tailed deer, ruffed grouse and, notably, black bear. The western portion of the area offers dramatic vistas. All plant and wildlife species are considered native to Southwest Virginia, and the age of the forest makes this area an excellent benchmark ecological reserve.

Lewis Fork Wilderness Study Area
Total Area: 5,730 Acres

Location and Access

The Lewis Fork area is located at and just under the summit of Mount Rogers, the highest point in Virginia. The unit is in Smyth and Grayson counties on the Mount Rogers National Recreation Area, approximately 18 miles south of Marion, Virginia. Access from the north is provided by I-81 and U.S. 11, and state secondary roads, from the south by U.S. 58, and state and Forest Service graded roads.

Geographical and Topographical Features

The area contains rock barriers, weathered bluffs, and steep slopes. Elevations range from 3,800 to 5,729 feet with low rugged cliffs at the upper grasslands. Soils are considered moderately to highly productive and highly erodible.

Current Use

A variety of recreation activities occur in the area. Big game and small game hunting, fishing, hiking, horseback riding, cross-country skiing, and viewing scenery are major uses. Thirty-four thousand visitor days were recorded from 1980 to 1982. Attractions include 17 miles of trails in the area: The Appalachian Trail, Mount Rogers National Trail, and the Virginia Highlands Horse Trail. Two trail shelters, one at Deep Gap and one at Old Orchard, are associated with the Appalachian Trail.

Natural Appearance

The timber is primarily second growth upland hardwoods, with scattered pines. Fraser fir is found at higher elevations. All plant and wildlife species are considered native to Southwest Virginia, and natural processes are coming to dominate the several existing old roads which are closed to vehicular traffic. Deer, turkey, grouse, songbirds, small mammals, raven (with probable nesting sites), and occasionally eagle and bear are considered attractions. Native trout are found in Lewis Fork.

Special Features

The spruce-fir vegetative type, associated only with high elevations, attracts environmental study groups from a four-state area. Very few stands of Fraser fir exist this far south. Several species of endangered or threatened salamanders are found in the area, and a prehistoric archeological site has been recorded at Deep Gap. The resence of Mount Rogers, the highest point in Virginia, should be considered a special feature.

Little Dry Run Wilderness Study Area
Total Area: 3,400 Acres

Location and Access

The Little Dry Run Areas is located in the Mount Rogers National Recreation Area in Wyth County, VA. Access is provided from the north and south by U.S.-21.

Geographical and Topographical Features

Topography is moderately steep with elevations ranging from 2,500 to 3,600 feet, Little Dry Run Creek runs through the area. National Forest lands bound the area on the south and west sides.

Current Uses

Primary use is for hunting, fishing, hiking and horseback riding. The area received over 9,500 recreation visitor days between 1980 and 1982. Deer, turkey, grouse and small mammal hunting is predominant. Two and one-half miles of trail follow Little Dry Run Creek through the area.

Natural Appearance

The area is typical upland hardwood or pine-hardwood found throughout the Appalachians. Hemlock is common along the creek. The trees are second growth, about 50 years old, and the impact of man's activities has had very little influence on natural integrity. The rugged terrain of the area, together with the dense forest cover and populations of both non-game and game wildlife species offers opportunities for solitude, primitive recreation, scientific study, and challenging experiences.

Special Features

The area provides an excellent example of the vegetation and terrain that faced early inhabitants in their westward movement. Potential for both historic and prehistoric archeological sites is considered good.

Little Wilson Creek Wilderness Study Area
Total Area: 3,855 Acres

Location and Access

The Little Wilson Creek area is located on the Mount Rogers National Recreation Area 4-1/2 miles northwest of Volney and south of Troutdale, in Grayson County, Virginia. Access is provided by U.S. 58 and state secondary roads, and by State Route 730.

Geographical and Topographical Features

The area contains steep, rugged terrain with elevations ranging from 3,200 to 4,800 feet. The upper perimeter thins into semi-open fields. Soils are moderate to highly productive, and highly erodible.

Current Uses

A variety of dispersed recreation activities occur in the area, especially hunting, fishing, hiking and horseback riding. Approximately two miles of the Appalachian Trail crosses the western portion of the area. Fifteen thousand visitor days of recreation use were reordered between 1980 and 1982.

Natural Appearance

The area contains typical northern hardwood tree species with heavy stands of sugar maple, and yellow and black birch. Beech and oaks are also present. There are scattered red spruce at higher elevations. All plant and wildlife species are considered native to Southwest Virginia, and natural processes are quickly dominated the few old fields, roads and narrow gauge railroad beds remaining from the early 20th century. Little Wilson Creek is a native trout stream and the area supports good populations of deer, turkey, squirrel and grouse. Bears, ravens and eagles are less common.

Special Features

The opportunity for solitude in this area is considered high. Steep, rugged terrain, remoteness, and thick forest cover are coupled with complete absence of development. Twenty prehistoric arecheological sites have been recorded adjacent to the area, and one within the unit.

Beartown Wilderness Study Area
Total Area: 6,375 Acres

Location and Access

The Beartown study area is located in Tazewell County in Southwestern Virginia. Access is provided by I-81 and U.S. 11, and State secondary and graded Forest Service roads.

Geographical and Topographical Features

Elevations range from 2,200 to 4,654 feet. National Forest lands border the area on the southern boundary while private lands border it on all other sides.

Current Uses

Recreation use in the summer is dominated by fishing for native trout, hiking and primitive camping. Deer, turkey and bear hunting dominates fall use. Beartown received over 15,400 recreation visitor days between 1980 and 1982. Big game and small game hunting and hiking on nearly four miles of the Appalachian Trail are major uses. Other recreational uses include picnicing, viewing scenery from the Blue Ridge Parkway, camping, and nature study.

Natural Appearance

The area appears to be influenced entirely by natural processes. Old roads and skid trails, although visible, are rapidly being reclaimed by native vegetation. The steep, rugged topography and remote nature of the area are the most noteworthy attractions. The area is forested with dense stands of second-growth pine-hardwoods and scattered patches of rhododendron. Deer, turkey, grouse and occasional bears are the major wildlife species available for hunting.

Special Features

The area provides an excellent example of the vegetation and terrain that faced early inhabitants in their westward movement. The Blue Ridge Parkway and Appalachian Trail run adjacent to the area on the East, accounting for some two million visits annually. Thunder Ridge vistas are a special part of these visits.

Barbours Creek Wilderness Study Area
Total Area: 5,875 Acres

Shawvers' Run Wilderness Study Area
Total Area: 4,300 Acres

Location and Access

The Barbours Creek area is located in the northeast portion of the New Castle Ranger District on portions of Potts Mountain and Middle Mountain in Craig County with 3,400 acres located in the George Washington National Forest in Alleghany County. Access to the area is provided by I-81, U.S. 220 and State and Forest Service graded roads from the east and southeast; I-64 and State secondary and Forest Service graded roads provided access from the north and northeast.

Geographical and Topographical Features

The topography is rugged with steep, heavily forested slopes; elevations range from 1,800 to 3,600 feet. Soils on ridge tops and steep slopes are shallow, low to moderately productive, and have moderate erosion potential. National Forest lands bound 75% of the area.

Current Uses

Dispersed recreation is the dominant use of the area. Activities include hiking, horseback riding, hunting, fishing, bird watching, picnicing, and primitive camping. Hunting accounts for the heaviest short-term use. Road use is heavy on the 2-mile stretch of the Sweet Springs Turnpike which bisects the Barbour's Creek area from Shawver's Run. Three timber sales covering 61 acres were sold in early 1983. Some oil and gas exploration has occurred. The Area received 8,717 recreational use visitor day in 1982. Two heavily used trails, Potts Mountain East and Lipes Branch traverse the east half of the area.

Natural Appearance

The area is forested with typical southern Appalachian hardwoods.

Evidence of both old and recent vegetative and soil disturbing activities, including roads and ski trails detract from the natural appearance of the areas affected. Most areas, however, appear to be influenced entirely by natural ecological processes. Wildlife species include turkey, grouse, songbirds, bear and trout.

Special Features

The area contains approximately 5 miles of native trout streams.

STATEMENT OF JACK A. HAMMOND, MANAGER, COVINGTON, VIRGINIA MILL AND THOMAS R. LONG, VICE PRESIDENT AND GENERAL COUNSEL, WESTVACO CORPORATION

My name is Jack Hammond and I am manager of Westvaco Corporation's Bleached Board paper mill in Covington, Virginia. I am accompanied today by Andrew E. Dreszer and Leo Mulcahy also of Westvaco in Covington and John C. Callihan and Thomas R. Long from our corporate office in New York.

We appreciate this opportunity to testify in partial opposition to S. 2805, as introduced, a bill to designate certain public areas in Virginia as additions to the National Wilderness Preservation System and to designate certain areas for further study. We urge for the reasons stated that five additional areas be designated for study.

We fear that sometime in the future the proposed wilderness areas will be redesignated Class I by a subsequent act of Congress or a future Virginia Governor. Because of the linkage between the Clean Air Act and wilderness, air quality standards for Class I areas are extremely stringent. While we appreciate the statements by members of the present Virginia Congressional delegation that they would oppose any Class I redesignations of these areas, two facts should be noted. First, their successors may not share their views. Second, and more importantly, a Virginia Governor could selectively redesignate any one or more of the areas as Class I causing severe economic impact not just upon Virginia but vast areas of neighboring West Virginia since many of the areas are directly on the state border or within a few miles. Senator Warner, I might add, attempted to obtain without success some assurance from the present Virginia Governor not to pursue redesignation.

Westvaco's Covington operations are the economic lifeblood of Virginia's Alleghany Highlands and have been for 85 years. The stability of Virginia's economic climate has been an important consideration in our company's long-term investment decisions. Creation of new wilderness areas in western and southwestern Virginia places industry in an uncertain business and regulatory environment. Redesignation of wilderness areas to Class I close to our Covington mill would, we believe, impose severe limitations on mill operations and threaten the announced $500 million dollar capital investment program at the mill; investment needed to maintain competitive strength and preserve jobs for the future? I would now like to introduce my colleague, Mr. Thomas R. Long, Westvaco Vice President and General Counsel, to indicate in more detail why certain additional areas should be designated for further study.

Mr. Long: At the present time, no scientific basis exists for determining the impact of Covington mill emmissions on any of the proposed wilderness areas. It was for this reason that four areas within 15-20 miles of the mill were wisely designated for further study in both the House and Senate bill.

This is a sound approach, but one might legitimately ask what is the scientific basis for Congress drawing the line of concern so close to the mill? What about the five additional areas, all located between 32 and 50 miles of the mill? Might not redesignation of these areas also impact the mill? No one really knows. The fact is, the scientific data simply does not exist. However, it is possible to develop this base of knowledge.

The question is, will the Congress provide the time needed to conduct a soundly constructed, scientifically reliable meteorological monitoring program, covering all nine of the areas within the area of concern, whereby the possible impact on the mill of a redesignation to Class I can be assessed? Or will Congress proceed on the basis of political expediency?

Furthermore, unless five additional areas are designated for further study, Congress will be acting in a manner inconsistent with current EPA Practice. Current EPA practice would dictate looking at air quality impact within 100 kilometers or 60 miles of the Covington mill, not 15-20 miles as S. 2805 suggests.

I would like to make these points in more detail. Weather is a chaotic system. Couple this with the mountainous terrain of Western Virginia and you begin to see the dimension of the problem we are dealing with. It is a monumentally complex task to determine how weather moves over or around a mountain. To express this mathematically as required in a PSD study is testing the frontiers of science. To do it in the absence of data defies the imagination.

Under the Clean Air Act, Class I areas are considered pristine and emissions from all sources are permitted to have only a very limited impact. Once this impact is used up, for whatever reason, no further increases are allowed.

A Class I Prevention of Significant Deterioration (PSD) increment consumption analysis is required when an operation such as the Covington mill expands and increases its emissions. It requires that air quality impact be estimated for great distances downwind. Even though the impact at greater than 50 kilometers or 30 miles away may be relatively small, because of the stringency of the Class I standards, the impact can stil be very significant for large sources and in situations where the merging of plumes occurs. The PSD increment consumption analysis is very complicated, requiring determination of "baseline triggering dated," determination of "PSD sources" to be included in the study, their associated "baseline emissions", and the use of mathematical "dispersion models". A key requirement is representative on-site meteorological data, including wind speed, direction and stability class.

The company has been involved with EPA on a PSD issue at one of its othermills. We have worked closely with EPA. Our experience provides us with detailed knowledge of what is required.

Let me briefly outline the steps required and this will explain our reasons for asking that the five additional areas be placed in the further study category.

- Determine area of concern by drawing a circle with a radius of 100 kilometers, 60 miles, around the source--the Covington mill.
- Determine which potential Class I designated areas are located within this circle. The five areas of concern that we propose adding to the further study category are within the circle--31 to 51 miles from the mill. See map attached.
- Determine the baseline triggering dates for each area. All new or modified sources whose emissions increased after the baseline triggering date could consume the allowable increment and must be included in the analysis. This has not been done.
- Determine which State Implementations Plan (SIP) Revisions might consume increment and by how much. This has not been done.
- Determine which sources, other than the Covington mill, should be included in the analysis and the amount of emissions from each source. This has not been done.
- Select dispersion model to be applied. A different model may be required for each of the three averaging periods involved: annual, 24-hour, 3-hour. This has not been done.
- Select appropriate meteorological data. The use of representative on-site meteorological data is absolutely essential to make any reasoned judgment with respect to air quality. This has not been done.
- Locate receptors for modeling purposes in Class I areas. This requires some review of the topography of the wilderness area. This has not been done.
- Determine sources whose plumes could "align" and have impact on the wilderness area. This has not been done.
- Run the model or models, calculate impact for the appropriate averaging periods and compare with the allowable increment remaining. This has not been done.

The question really comes down to this: is it reasonable to substitute politics for science when jobs and preservation of a favorable economic climate in an economically disadvantaged area of Appalachia is at stake? What you have here is a political decision made in a vacuum. The problem is not wilderness. The problem is not Westvaco. The problem is linkage between the Clean Air Amendments of 1977 and the Wilderness Act of 1964. As we have stated many, many times, we are not opposed to wilderness per se, but we feel very strongly that wilderness and the Clean Air Act need to be uncoupled. For as long as the link exists, industry located near these areas will live under the constant threat of redesignation and new industry will not be attracted to the area.

Senators Warner and Trible in their version of H.R. 5121 have asked the U.S. Forest Service, working with EPA and appropriate state agencies, to take two years to study the impat of Class I designation of the four areas closest to Covington. That makes sense. Logic and better science truly need to be brought to bear. However, the area of study needs to be expanded to the five other areas all located 31-51 miles from Covington. No harm to the wilderness can result from further study. But potential harm to the Covington mill's future may be averted.

A potentially important piece of this study is already underway. After the United States Ninth Circuit in 1982 found that the RARE II analysis for California did not adequately address the environmental impact requirements under NEPA, the Forest Service has now undertaken for all possible wilderness areas a review of each area's suitability for wilderness designation under its Land Mangement Planning Process required under the National Forest Management Act of 1972. For all the proposed wilderness areas in Virginia, as well as the four study areas, under the Bill, the Forest Service anticipates the review will be completed sometime during the first of next year. If this Bill passes, this process, now well underway, will have been in vain. Is it not wiser that we benefit by awaiting the results of this thorough review?

The Ninth Circuit decision raises another concern with respect to the Bill. Section 5(b)(1) bars any judicial review of the RARE II final environmental impact statement with respect to these Virginia areas, denying to Virginia citizens the legal remedies accorded to California citizens. No explanation has been given for this provision and it should be deleted as a dangerous precedent undermining the environmental purposes of NEPA. Indeed, sequential referral to the Senate Environment and Public Works Committee may be in order.

We therefore ask for the following:

First, that S. 2805 be amended to include the additional five areas of concern in a further study category, where under section 6(c) of this bill they shall be administered "so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System" providing sufficient time to develop accurate and reliable scientific data which would permit sound decision-making. These areas include Thunder Ridge, 31 miles from the mill, Mountain Lake, 32 miles, Peters Mountain, 42 miles, St. Mary's River, 45 miles, and Ramseys Draft, 52 miles.

Secondly, for the reasons stated above, Section 5(b)(1) of the Bill should be deleted.

Finally, we are asking for a commitment from Senator Warner and a commitment from Senator Trible and other interested parties to initiate legislative action, in the next session of Congress to provide a long-term solution to the problem of linkage. Until this action is taken, promises of assurance at both the Federal and state levels will have little meaning, and a cloud of economic doubt will continue to shroud the state of Virginia, particularly in the Covington area.

Virginia Bear Hunter's Association
Rt. 3, Box 81
Waynesboro, Virginia 22980
July 20, 1984

Senator Jesse Helms, Chairman
Committee on Agriculture,
Nutrition & Forestry
United States Senate
Washington, DC 20510

Dear Senator Helms and Committee Members:

This letter and attachments outline the position of the Virginia Bear Hunter's Association in opposition to Senate Bill introduced by Senators Warner and Trible of Virginia.

The Virginia Bear Hunter's Association is a statewide organizaton of 500 plus listed membership but actually speaking for many more houndsmen and others in the state.

Our position of opposition is based on the following points.

1. The issue is not whether there will be wilderness areas in Virginia as claimed by the proponents but whether such areas should be designated as Federal Wilderness Areas.

2. The areas in question are in most if not all cases, already managed by the Forest Service as wilderness type or roadless.

3. Federal Designation is not necessary to save the areas that will be saved anyhow and the only real purposes of seeking Federal Designation is to provide an ego trip for the leadership of the Virginia Wilderness Committee who can then claim they saved the areas.

4. Federal Wilderness Designation of these areas is dangerous to the future of hunting. The anti-hunting record of the Wilderness Society and the Sierra Club have become a matter of record. Their future plans cannot be trusted.

5. Senator Warner's so-called Public Hearings on this issue were a disgraceful sham despite his denials. He even allowed Ed Clark of the Virginia Wilderness Committee to help conduct the Staunton meeting and to interrupt one of the opposition speakers.

6. Both Senator Warner and Representative Olin, when they showed hesitation over introduction of the bills, appear to have allowed Ed Clark's threatening type news releases in the Harrisonburg newspaper to scare them into submission.

7. It is our contention that the majority of Virginians do not favor the restrictions of these designations but because we are working at jobs paying the taxes to support the government, we haven't the time to properly lobby. We believe this will become apparent in the future.

8. Four of the Virginia members of the House of Representatives did recognize the feelings of the true majority and did have the courage not to knuckle under to the threats of the preservationists.

9. The proponents of this bill are not speaking for the conservationists as claimed but rather are preservationists and anti-hunters.

10. True Conservation is the wise use of the earth and its resources, not locking them up. The comeback of the American Eagle is due to management including even artificial insemination. Similar action is being done for condors, falcons, etc. Even Ed Clark himself claims using management including modern veterinary techniques to save animals.

11. The Virginia Wilderness Committee Chairman Ed Clark has attempted to discredit Westvaco for their opposition and to print a dark picture of them, yet his own activity in the Shenandoah Valley Wildlife Treatment Center got one of its first boosts in a generous grant from Westvaco. He is the person who bites the hand that feeds him in his ego trip to personal fame.

12. The Virginia Wilderness Committee has attempted to paint a picture of all opposition as those who wish to hunt from the window of a jeep, yet they continue to claim areas such as

Saint Mary's River won't change from current status except in name. These are areas we've been bear hunting in for years so how did we manage to do so if we hunt as they attempt to portray?

13. Many senior or younger citizens who are disabled, partly disabled, or otherwise handicapped are currently able to get within reasonable access of these areas, much of which access will be denied under Federal Wilderness Designation.

14. Careful attention to the details of arguments by the Wilderness Society, primarily through the Virginia Wilderness Committee will show that their real goal is to be able to claim an accomplishment and that this is only an attempt to get their foot in the door. Their real goal is to change the status of all land for their ego purposes without regard to who pays the bill or how it is paid.

Further details of some of these points are attached but we believe the points raised here, even if not fully accepted, do raise enough questions to warrant delaying action on this bill until a future Congress, if not killing the bill. None of the status of areas considered is going to change during the next several years, therefore even the proponents, if their real purpose is conservation, cannot lose by delay. They can only lose if their real purpose is personal ego.

Cecil L. Boggs, Jr.

STATEMENT OF MO DUNCAN, PRESIDENT
MID ATLANTIC 4 WHEEL DRIVE ASSOCIATION

The Mid Atlantic 4 Wheel Drive Association would like to point out a number of inconsistencies with H.R. 5121 and S. 2805, Virginia Wilderness Bills now pending. The Mid Atlantic 4 Wheel Drive Asociation is an association of four wheel drive clubs covering all of Virginia and parts of North Carolina and West Virginia. The Mid Atlantic 4 Wheel Drive Association promotes the proper use of four wheel drive vehicles, the sport and recreation, and the continued use of public lands. The Mid Atlantic 4 Wheel Drive Association feels that the designation of primitive areas for wilderness is admirable, but many of the current areas as presently laid out in H.R. 5121 and S. 2805 are not conducive to the true concept of wilderness. The Mid Atlantic 4 Wheel Drive Association feels that multiple use is the best way to manage our National Forest in Virginia. We also feel that wilderness designation would put unneeded restrictions on some of these areas. Areas such as Big Levels Game Refuge and Mountain Lake Scenic Area already lie in protected areas. Wilderness designation would limit the usage of these areas severely by hunters, fishermen, etc. It is not very practical to hunt large game in the center of these areas and pack it out.

The Mid Atlantic 4 Wheel Drive Association knows there is no 96% open to O.R.V.'s in the National Forest of Virginia, as the proponents of this legislation will tell you. Since the RARE II studies started in the 70's, an estimated 60% of jeep road and trails have been closed to O.R.V.'s and we feel that lands released by the current legislation will not open any closed roads or trails. The Mid Atlantic 4 Wheel Drive Association also feels that this trend of closing primitive roads and trails will continue. O.R.V.'s have a closing primitive roads and trails will continue. O.R.V.'s have a legal right to the National Forest given by Executive Order 11644. We feel that the rights of the majority are being suppressed for the wants of a few (17.8% motorized vehicles vs. 8.1% hikers, percentages taken from the Jefferson National Forest Survey). The proponents will tell you that there is a user conflict where the Appalachian Trail and jeep roads coincide. But none of them claim a user conflict where US 460 coincides and miles of other hard surface, heavily used highways and roads. The Appalachian Trail's southern section was moved west of the Blue Ridge Parkway in the 1950's with revisions as late as the early 1980's. The Appalachian Trail coincides with miles of jeep roads and trails in these revised areas. The Mid Atlantic 4 Wheel Drive Association feels we have a right to these sections where the Appalachian Trial coincides with jeep roads by adverse possession. Many of the roads in these areas have existed prior to the Civil War (1860's) and many were put in these areas in the 20's and 30's.

Some of the proposed areas have man-made structures such as buildings, concrete dams, concrete bridge abutments, improved roads and unimproved roads, and jeep trails. In one instance, a cemetery is inside the boundary (Little Wilson Creek) according to U.S. Forest Service Maps.

The Mid Atlantic 4 Wheel Drive Association would like the following statement entered in the Committee Hearing Record. The hearing on 7/25/84 concerning (H.R. 5121 and S. 2805) the Virginia Wilderness Bills.

Augusta County
Board of Supervisors
Commonwealth of Virginia
P.O. Box 448
Staunton, Virginia 24401-0351

The Honorable Jesse Helms, Chairman
U.S. Senate Committee on Agriculture,
Nutrition, and Forestry
Washington, DC 20510

My dear Senator Helms:

I wish to address you as a private citizen. I am also a county supervisor and presently Chairman of the Augusta County Board of Supervisors.

I currently represent a district that may soon have ten thousand (10,000) acres designated as a wilderness area.

The proposed site has been owned and well managed by the U.S. Forest Service for approximately thirty (30) years. During this period of time the Forest Service planning has consistently stated that timber cutting, road building, development and related activities are not practical.

Therefore, these were not considered in the past or for future management planning.

The Augusta County board of Supervisors has opposed wilderness designation or scenic river areas in Augusta County since the early seventies (70)'s). The following are the reasons for this position:

1. No further government regulations are needed for these well managed areas.

2. The possible restrictions that are allowable, can and will be applied therein. They could well exclude Augusta, and several other counties and cities as well, from any future industrial development or expansion. Other jurisdictions that might be affected are Rockbridge County, Bath County, Alleghany County, Highland County, Nelson County, Albemarle County, Rockingham County, Amherst County and the cities of Staunton, Waynesboro, Charlottesville, Lexington, Buena Vista, Harrisonburg and Roanoke.

3. The Board believes in conservation being the wisest and best use of our resources, not always locking up forever these resources in a wilderness designation.

Other organizations that oppose this designation and have so stated to Virginia's entire Congressional delegation past and present. These positions have been made by the following to name a few:

Headwaters Soil and Water Conservation District Board
Augusta County Farm Bureau Federation
Virginia Farm Bureau Federation
Virginia State Chamber of Commerce
Back Creek Sportsman's Club
Virginia Bearhunters Association and others

Many have expressed concerns and rightly so, that the past, present, and future regulations have and can be changed by executive orders from department heads and others in official positions.

It is of great concern to many people that the U.S. Forest Service recently gave a mild endorsement to these areas, when it seems to be a complete reversal of their positions stated while in the process of developing the last series of future development plans. I seem to rationalize such actions when the Forest Service personnel are standing in front of the local member of the House of Representatives and one U.S. Senator from Virginia.

I just recently attended a House subcommittee hearing in Washington on April 6, 1984 on H.R. 5121 at which only one member of a fourteen (14) member committee attended. Congressman Sieberling of Ohio, who is 100% pro-wilderness, presided and the only one present. The hearing on Friday morning was conducted as a cross examination of the speakers who opposed Congressman Sieberling's announced 100% support of the House Bill No. 5121. Virginia Congressmen Olin of the 6th District and Boucher of the 9th District read into the record statements saying that there was basically no opposition to wilderness designation of these areas. Also, at the beginning of the hearing, an attempt was made by Congressman Sieberling and staff personnel to exclude speakers who opposed this bill.

I along with many others in attendance considered conduct of this nature extremely improper and uncalled for in the American democratic society of today.

As I will be unable to attend the Senate hearings on Senate Bill No. 2805 on July 25, 1984, I am forwarding some material I would like to have included in the record. (This material retained in committee files.) I would be glad to discuss these matters with you at your convenience and would also appreciate your attention to these concerns.

Most sincerely,

Beatty L. Speck

Westvaco
Bleached Board Division
Covington, VA 24426

The Virginia Wilderness Bill was filed in the United States Senate on June 27, 1984 by Senators John Warner and Paul Trible. It's number--S. 2805.

S. 2805 is essentially the same as the House-passed bill H.R. 5121.

At a joint press conference on the day S. 2805 was introduced both Senators Warner and Trible commended the Virginia Wilderness bill as fully beneficial to Virginia, expressed their complete support for it, and forecast favorable action by the Senate.

While some have greeted the news by going out and icing down the champagne in anticipation of the victory celebration, others like ourselves have found the news sobering and a signal that Virginia's business and regulatory climate may be changing.

The Senate Agriculture Committee will hold its hearing on the Virginia Wilderness Bill on July 25, 1984. Time for presenting oral testimony will be limited since the Virginia bill will be heard with bills from two other states. Anyone wishing to speak before the committee should contact Bill Brooks in Washington (202) 224--6901 and ask to have their names put on the agenda.

At this point it's doubtful that the Virginia Wilderness Bill can be stopped or even amended, however, its very important that industry and business concerns be noted for the record. That's why we plan to testify and submit a written statement. We also ask that you express your concern in writing to the committee. That could be very important in the future. Write to the Honorable Jesse Helms, Chairman, U.S. Senate Committee on Agriculture, Nutrition, and Forestry, Washington, D.C. 20510, and make sure that you request that your letter be made a part of the hearing record.

Thanks,

Andy Dreszer

Covington Motor Co., Inc.
603-605 S. Monroe Ave.
Covington, Virginia 24426

Honorable Jesse Helms, Chairman
U.S. Senate Committee on Agriculture
Nutrition and Forestry
Washington, DC 20510

Dear Sir:

I am writing in reference to Senate Bill S. 2805. I have been in the automobile (Ford) business for forty five years in Covington, VA. Like many other businessmen in this area we are concerned what could happen to Westvaco in the future if regulations should be changed that would hamper future growth of Westvaco.

We are proud of the few industries we have in our area. We urge our representatives in Washington to assure our people their future will be protected. I ask that this letter be made a part of the hearing.

Very sincerely,

Earl R. Bailey

Bentivar
Route 8, Box 149
Charlottesville, Va. 22901

Senator Roger Jepsen, Chairman
Subcommittee on Soil and Water Conservation
Senate Committee on Agriculture
United States Senate
Washington, DC 20510

Dear Senator Jepsen,

I am writing to urge you to facilitate the passage of S. 2805, the Virginia Wilderness Bill, introduced by Senators John Warner and Paul Trible, a bill of which I am very strongly in favor.

In particular I am most interested in the Mountain Lake proposed Wilderness Area which is included in this bill. My husband, Joseph James Murray from the Biology Department at the University of Virginia, has been co-director of the Mountain Lake Biological Station (adjacent to the proposed wilderness area) since 1964. The passage of this bill would give an assurance of continuity of habitat to this area and this would have a profound effect on the continuation of the high quality of scientific research which is conducted at the field station by scientists of local, state and national reputations.

We urge you to take this into consideration when you are discussing the merits of S. 2805.

I should be grateful if you would make this letter part of the official hearing record.

Yours sincerely,

Mrs. Elizabeth Murray

Virginia Polytechnic Institute and State University
Division of Health, Physical Education and Recreation
Blacksburg, Virginia 24061

Senator Roger Jepsen, Chairman
Subcommittee on Soil and Water Conservation
Senate Committee on Agriculture
United States Senate
Washington, DC 20510

Dear Senator Jepsen,

As an outdoor education professional I would like to express greatly my positive support for the Virginia Wilderness Bill. I feel that this bill will have many positive rewards for the outdoor education field. Also, these areas will be good future resources for Virginians. I feel that recreation in wilderness areas will be beneficial for all residents of Virginia, especially the younger generations to come. Hunters, fishermen, backpackers, and family hikers will be able to use these precious areas as a result of the passing of this bill.

I would like this letter to be included in the Congressional record of this Senate subcommittee hearing as a positive recommendation for the Wilderness bill. Also, I would like to thank Congressmen Boucher and Olin and Senators Warner and Trible and their staffs for their hard work and support of this bill. Without their dedication my attention would never have been brought to this matter which is very important to me. Thank you.

Sincerely,

Daniel Marvin

Fort Valley Route, Box 398
Strasburg, VA 22657

Honorable Roger Jepsen, Chairman
Agricutural Subcommittee on Soil and Water
United States Senate
Washington, DC 20510

Dear Senator Jepsen:

This letter, in part, expresses my concern for and interest in the Senate Bill #2805--The Virginia Wilderness Bill.

I understand and appreciate the considerable pressure you and your committee will face in the coming weeks--those for this Bill and those opposed to it.

Only a few reasons expressed here, will show my concern:

1. The gradual diminishing of suitable habitat will be followed by a reduction of wildlife, particularly bear and deer and also woodland plants endemic to forest biomes.
2. Large wooded areas have a positive but subtle influence on the surrounding rural and urban areas, i.e. producing water vapor greatly influencing weather and temperature. Again, there is the production of oxygen to the atmosphere and the consumption of carbon dioxide, a process of constantly purifying the air.
3. The growing population and its need for more living space will continually encroach upon the wooded areas, with an increasingly negative influence on culture and way of life. Man, the most intelligent of God's creatures, must learn that man himself cannot continue to destroy but must learn to control and limit his pressures on the environment. I need not remind you of the previous civilizations that have died or been altered because of environmental changes due to the actions of man.

In conclusion, I sincerely hope you and your committee, after a serious study of the pros and cons, will act favorably and strongly recommend the Wilderness Bill #2805 be passed by the Senate.

May I request that this letter, expressing my views, become a part of the Senate Hearing Record.

Sincerely,

Marlin P. Krouse

Virginia Forestry Association
One North Fifth Street
Richmond, Virginia 23219

Senator John W. Warner
405 Russell Senate Office Building
Washington, DC 20510

Senator Paul S. Trible, Jr.
517 Hart Senate Office Building
Washington, DC 20510

Dear Senators Warner and Trible:

We wish to submit a statement for the Virginia Forestry Association on S-2805, the Virginia Wilderness Act of 1984. As you know we testified April 6 on H.R. 5121 before the House subcommittee for Public Lands and National Parks. In our statement then we reiterated our position from September 1978 wherein we called for the creation of five new wilderness areas out of the 29 RARE II areas. Of the remaining 24 areas we recommended continued multiple use management.

Our concerns with H.R. 5121 were that the ten new wilderness areas (not counting the addition to the James River Face) exceeded the current or projected need of Virginians for primitive and remote recreation. The 1979 Virginia Outdoor Plan published by the Commission of Outdoor Recreation outlined specific statewide needs by 1990, i.e. 116,000 additional picnic tables, 6,400 miles of bicycle trails, 250 18-hole golf courses, 6,650 tennis courts, 1,150 playgrounds, etc. These data emerged from a study done by COR showing that over 45% of the (then) current demand for recreation is for close-to-home recreation facilities, and that over 75% of the total statewide demand is east of the Blue Ridge. We note with interest that the creation of new wilderness areas would greatly decrease the potential to accommodate these future demands since none of the above facilities would be allowed in wilderness areas.

Our other concern is with the air quality designation for any new wilderness areas. This should be Class II, and all possibilities of a later change to Class I should be eliminated.

We believe your bill, S-2805 is an improvement over the House version introduced by Reps. Olin and Boucher. Your language prohibiting buffer zones and the wilderness areas makes good sense--all wilderness areas in the eastern United States should have this provision. Also we endorse the requirement that the Secretary of Agriculture study the air quality around Covington within two years after enactment.

Thank you for allowing us to comment on this bill. Please include these remarks in the official testimony of the hearing.

Sincerely,

Charles F. Finley, Jr.
Executive Director

Route 3, Box 589
Marion, Virginia 24354

Senator Roger Jepsen, Chairman
Subcommittee on Soil & Water Conservation
Senate Committee on Agriculture
United States Senate
Washington, DC 20510

Dear Senator Jepsen:

Please have my letter of wholehearted support for Virginia widerness bill S. 2805 made a part of the official hearing record.

Some people cannot see the forest for the trees but in some areas the forest cannot be seen for the resort development and junk stands along the highways, in other places the timber harvest practice of clearcutting ends for many years the pleasing appearence of tree covered slopes, while in other areas strip mining not only removes the trees but the slope as well. To some this is of little consequence; to those of use who truly love the restful beauty of the deep unspoiled forest this is a tragic loss.

Fortunately we do not all see everything alike; however surely all of you can see the desirability of setting aside this small portion of our great wilderness for protection from the ravages of "progress" allowing a space, for those of us who enjoy such simple things, to visit nature without the intrusion of machines into the stillness.

My sincere thanks to Senators John Warner and Paul Trible for not only seeing the forest but directing the attention of the Senate to the need for saving some of it for the future.

Sincerely,

June Slemp

Route 5, Box 101
Lexington, Virginia 24450
19 July 1984

Senate Staff
Subcommittee on Soil and Water Conservation,
Forestry and the Environment
U.S. Senate
Washington, D.C. 20510

Dear Staff Members:

As confirmed in the 1 June 1984 issue of The Kiplinger Washington Letter, a letter from a constituent to lawmakers re legislation DOES have a positive effect!

On 25 July 1984, I understand you will be considering the passage of the 1984 Virginia Wilderness Act proposed in the U.S. Senate by Senators John W. Warner and Paul S. Trible of Virginia. Since considerable acreage in our own Rockbridge County would be affected by the passage of this bill, I am writing now as a concerned citizen and not as a representative of my organization. However, in my capacity as State Chairman, I have recommended that members of the various Chapters of the Virginia Society support this bill, too. While enjoying the wonders of our beautiful and natural heritage, we must protect it for future generations. I feel that the passage of this Wilderness Bill would help to guarantee that protection.

Yours truly,

Mrs. Edward L. Anderson
Virginia State Chairman, Conservation
NSDAR

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206 White St.
Lexington, Va 24450
July 23, 1984

Dear Members of the Committee,

As a City of Lexington, Va. Council representative to the Central Shennandoah Planning District Commission, I recently had a chance to vote on an approval/disapproval resolution concerning the Wilderness Act. It came up quite unexpectedly at our monthly meeting in February or March of this year. We were asked to send a representative from the 6th Planning Commission to a workshop on the Wilderness Act--which most of us were willing to do. But at the last minute one member moved that we also express our disapproval of the Wilderness Act. He was joined in this by a majority but discussion was short and cut off as it wandered into investive without real knowledge of the Act. We had had no prior information pro/con on the Act and no one was present to explain the effect of the Act in our area. I was the sole dissenting vote--having had no chance to speak out against the resolution--but there were many abstentions due to the lack of knowledge on the part of those members. There was dissatisfaction among us about the speed and fury of the whole thing.

I write because I do not think that the vote taken by the Planning District Commission is a fair representation of the feelings of our area. There is in fact a great deal of support in the Valley of Virginia for this Act.

I hope you will pass the Act. The areas concerned are well chosen and would be a fine legacy for the future.

Thank you,

Sincerely,

Susan A. LaRue
Member
Lexington (Va) City Council

Mrs. Charles G. Lyle
Route 1, Box 395
Raphine, Virginia 24472
July 15, 1984

Senate Agriculture Committee
United States Senate
Washington, D.C. 20510

Re: S 2805

Gentlemen:

As a Senior Citizen I urge you to support Senate Bill S 2805. I am in favor of this Virginia Wilderness Bill for a personal reason which I would appreciate having included in the records from the hearing.

It is almost unbelieveable that a child aged eight or nine years could be sharply aware of the fragile nature of environment but that is exactly what came to me in a flash of understanding in 1908 or 1909.

My father's business interests moved the family to Pennsylvania so school months were spent in Philadelphia but summers were spent in my native East Tennessee. It was on the occasion of our return to Unicoi County one June that I stood beneath a towering white pine with rhododendron, laurel, galax, ferns and other mountain plants around me and felt the sharp ache of the fact that some day all this beauty could disappear, that only row-houses, pavements, and crowded conditions could remain. It was a moment of truth I still remember clearly.

So it is no wonder that now, seventy five years later, I am deeply concerned for what is left of woodlands, clear waters, and clean air. Over these years I have been acutely aware of the gradual loss of natural conditions, the never ending demand that more acreage be "developed". I shudder to think what this country is going to look like in another seventy five or eighty years.

Is it too much to ask that protection be given some of the fragments of natural habitat still available? Future generations surely have a right to at least a sample of this country as it used to be.

Sincerely,

Mrs. Charles G. Lyle

Route 1, Box 395
Raphine, VA 24472
July 17, 1984

Senator Roger Jepsen, Chairman
Subcommittee on Soil and Water Conservation
Senate Committee on Agriculture
United States Senate
Washington, DC 20510

Dear Senator Jepsen:

I am a public school teacher in Virginia and would like to urge your Subcommittee to vote in favor of Virginia Wilderness Bill S 2805 when you consider it on July 25.

For over twenty-five years I have taken field trips into natural areas as both a teacher and a student myself, and I realize there is no substitute for an undisturbed, wild area as a place for gaining insight into understanding environmental issues. If we are to survive on this planet, it is vital that there be some areas where man can study as well as simply enjoy a natural environment. We all see the constant addition of more buildings, roads, power lines, timber harvest, mining, and other infringements upon our natural environment, but we are slow to acknowledge that undisturbed areas are disappearing.

I feel that passage of legislation which would give the added protection of wilderness designation to the selected Virginia areas is as significant now as was the establishment of our National Forests early in this century.

Please include my opinion as a part of the official hearing record on bill S 2805.

Yours sincerely,

Charlotte L. Umholtz
(Mrs. John L.)

Route 1, Box 35
Waynesboro, Virginia 22980
July 25, 1984

Honorable John Warner
Honorable Paul Trible
United States Senate
Washington, D.C. 20510

Dear Senators:

For the purposes of setting the record straight on the position of the conservation community regarding the provisions of the Clean Air Act as it relates to wilderness designations, the undersigned organizations would like to publically state the following:

1) We recognize that all new wilderness designations are placed in air quality Class II, the same classification as the rest of the state of Virginia, with the exceptions of the Shenandoah National Park and the James River Face Wilderness Area.

2) We recognize that the size of the areas to be designated is relatively small, and that many of these candidate areas are close to towns or industrial areas.

3) We understand that some industrial interests view the possible redesignations of wilderness areas from Class II to Class I as a potential concern for their operations, even though such a redesignation can only be made by the Governor of the State or the Congress, and the chances for such a redesignation are extremely remote.

4) We believe that the redesignation of new wilderness areas in Virginia from Class II to Class I would do little to improve either the protection of the areas or the quality of wilderness experience available.

We therefore wish it to be known that we can foresee no set of circumstances under which we would either initiate or support any efffort to reclassify wilderness areas in Virginia to air quality Class I. We believe that any such effort would be unnecessary and ill-advised.

If we may provide you with any further information on this or related matters, please contact us.

With best wishes, we remain

Very truly yours,

Edward E. Clark, Jr., President
Virginia Wilderness Committee

Cosignatories:

Gerald D. Schuder, Chairman
Trout Unlimited (National)

Ellen Farnham, President
Conservation Council of Virginia

Paul Sims, Chairman
Old Dominion Chapter
Sierra Club

Don West, President
Virginia Wildlife Federation

Rockbridge Historical Society
101 East Washington
Lexington, Virginia 24450
July 10, 1984

Senate Agriculture Committee
Subcommittee on Soil and Water
Conservation and Foresty and the Enviroment
Senate Office Building
Washington, D.C. 20015

Dear Sirs:

The Executive Board of the Rockbridge Historical Society has directed me, as the President of the organization, to write to you expressing our support for the proposed Wilderness designation for Thunder Ridge and Rich Hole. We enthusiastically support the designation. While our normal concerns are with "manmade" history, we are nonetheless, deeply aware of our "natural history" and we applaud your efforts to insure the survival of this untouched area.

We represent a membership of some 500 and feel that we accurately reflect their feelings in giving you this institutional endorsement. Thank you for your work in considering this matter.

Sincerely,

Pamela H. Simpson
President

Society and the Professions: Studies in Applied Ethics
Washington and Lee University, Lexington, Virginia 24450
Louis W. Hodges, Director
July 11, 1984

Senate Agricultural Committee
The Subcommittee on Soil and Water Conservation,
Forestry and Environment

Dear Committee:

I am writing to express enthusiastic support for the wilderness legislation on which you are about to have a hearing later this month.

This legislation is good for some fairly obvious and well know reasons. It will preserve the pristine beauty of some of the finest areas in western Virginia. The areas will, if set aside as wilderness, be a boon to hunting for decades yet to come. These wilderness areas will provide breeding grounds for a variety of birds and animals as well as plant species. Properly protected these areas will continue to be most attractive both aesthetically and recreationally.

Opposition to the legislation has come chiefly from those who believe, falsely I think, that the wilderness designation will somehow interfere with the economic development of this region. Nothing could be farther from the truth. The areas in fact will contribute to further economic development in nearby areas because they will preserve this region as among the finest places in the state to live and work.

Let me call to your attention that there are literally thousands of people in this part of Virginia who strongly support the legislation in question. Both Senator Warner and Senator Trible can testify to that fact.

I, thus, urge you to act favorably upon this legislation and respectfully request that this letter become part of the public record.

Sincerely yours,

Louis W. Hodges

Commonwealth of Virginia
Virginia Military Institute
Department of Biology
Lexington, Virginia 24450
10 July 1984

Senate Agricultural Committee
Subcommittee on Soil and Water Conservation
Forestry and Environment
U.S. Senate
Washington, D.C. 20515

Dear Senators:

Please enter the following statement into the record of the Wilderness Bill hearings on my behalf: Ladies and Gentlemen of the Senate:

> The issue of Wilderness designation is one that future generations will look back upon and reflect on our foresightedness to set aside areas that will one day be the primeval forests of America. We have an obligation while our country still has green woodlands, to set aside a portion of these beautiful natural treasures for furture generations to enjoy asthetically, study biologically, and reap wildlife from recreationally. During these times of increasing population, there must eventually come a period of extensive use of most of the arable lands for housing or growing food. This must also include highly managed areas for forest products as well, but not necessarily woodlands as we understand and recognize at the present time. In order to ensure some of our beautiful forested areas will be enjoyed by future generations, let us act with determination to this end by supporting the Wilderness Bill.

Sincerely,

Erwin Burwell Wingfield, Ph.D.
Professor of Biology

STATEMENT OF WILLIAM L. PFOST, JR., PRESIDENT, AND EDWIN C. LUTHER, III, EXECUTIVE VICE PRESIDENT VIRGINIA CHAMBER OF COMMERCE, RICHMOND, VIRGINIA

Senate Bill 2805, the Virginia Wilderness Act of 1984, and House of Representatives Bill 5121, the Virginia National Forest Wilderness Act of 1984, are now before the Subcommittee on Soil and Water Conservation, Forestry and Environment of the Senate Committee on Agriculture, Nutrtion, and Forestry.

On behalf of the officers and Board of Directors of the Virginia Chamber of Commerce, we wish to reiterate the policy of our organization concerning wilderness land use in the Commonwealth of Virginia. It is our long-standing belief that further limits on the use of resources found on federal lands is not in the best interests of orderly economic development. We do not argue against, and indeed, wish to affirm our support for the preservation of forest areas in their natural state under the suspices of federal protection. We believe strongly, however, that a policy of multiple land use for public lands best serves the national interest.

We hope it will be the intent of the subcommittee and the Congress that any legislation enacted on wilderness land use in Virginia prohibit new wilderness lands from being designated as Class I areas for purposes of the Clean Air Act.

Radford University, Biology Department
Radford, Virginia 24142
23 July 1984

Dear Senator Jepsen:

This is to urge you to work for the passage of the Wilderness bill, S 2805. Among the obvious reasons for having these wilderness areas in Virginia, one is particularly important, in my view. There is a significant population of the endangered bigeared bat very close to one of the designated wilderness areas and this area probably is part of the feeding area for this bat. This and other wilderness areas, therefore, are important to the survival of our diverse wildlife. So please do what you can to expedite the passage of the S 2805 bill. Thank you very much.

Sincerely,

Virginia M. Tipton
Assoc. Prof. Biology

288 Tanger Drive
Stephens City, VA 22655
July 22, 1984

Honorable Roger Jepsen, Chairman
Agriculture Subcommittee on Soil and Water
United States Senate
Washington, D.C. 20510

Dear Senator Jepsen,

I am pleased that the Virginia Wilderness Bill (S. 2805) has been referred to the Soil and Water Conservation Subcommittee.

I strongly support this bill and ask that this letter be made part of the hearing record.

Thank you very much for your support and cooperation.

Sincerely,

Wanda Spatzer

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22 July 1984
2716 Hickory Street
Alexandria, VA 22305

Honorable Roger Jepsen
Chairman, Subcommittee on Soil &
  Water Conservation
Senate Committee on Agriculture
U.S. Senate
Washington, DC 20510

Dear Chairman Jepsen:

Just a brief note to express my support for the Virginia Wilderness Act of 1984 (S. 2805), and to urge passage of this bill.

Passage of this bill would give me a great deal of joy and satisfaction. As far as I am concerned, there has been too much destruction, all over the world, of our natural environment, so why not try to reverse this trend by preserving, forever, these wilderness areas of the State of Virginia?

I request that this letter be made a part of the official hearing record. Thank you.

Sincerely,

(Mrs.) Anne N. Bouchette

3211 N. Woodrow St.
Arlington, VA 22207
July 23, 1984

Senator Roger Jepsen, Chairman
Subcommittee on Soil and Water Conservation
Senate Committe on Agriculture
United States Senate
Washington, DC 20510

Dear Senator Jepsen:

I am writing in support of the Virginia Wilderness bill S. 2805. The wilderness areas such as those proposed for the Jefferson National Forest and the George Washington National Forest are Federal lands that belong to all the citizens of the country, and should be preserved for the enjoyment and recreation of all of us--those now here and those to come.

Whenever my wife and I drive along the Skyline Drive and the Blue Ridge Parkway, we are grateful that these lands were set aside from lumbering and other development 50 years or so ago. However, automobile traffic is often very heavy on these parkways and it is getting more difficult to have a leisurely visit. In the future, our children and grandchildren should be able to leave the roads and enjoy the wild areas on foot, in order to ease the stress of urban living. The wilderness areas will help to prevent serious soil erosion, to ensure good supplies of pure water, and to sustain steady populations of wildlife that can be enjoyed by hunters, fishermen, and other visitors.

Let's look ahead, and establish these wilderness areas now. Please make this letter a part of your official hearing records.

Sincerely yours,

Gilbert H. Espenshade

Rt. 3, Box 589
Marion, VA 24354

Dear Senator Jepsen,

I am writing this letter to urge you to support the Virginia Wilderness Bill S. 2805. I have spent many days in several of these proposed wilderness areas, and I tell you there are no finer places on earth. Streams you can drink from, abundant turkey, deer, and other wildlife abound here. One can easily find solitude, beauty, peace or excitement in these mountains.

Please have this note entered in the official hearing record.

Many thanks,

Gary Slemp

July 21, 1984

Hon. Roger Jepsen
Agriculture Subcommittee on Soil and Water
US Senate
Washington, D.C. 20510

Dear Senator,

I strongly support The Virginia Wilderness Bill (S. 2805) as introduced by our two senators, Warner and Trible. Many people of vision, not indentured to special interests, see the need to preserve our natural heritage if we are going to continue to have a healthy economy and leave some of the wonders of the natural world for future generations.

This is no mere passing fancy, but a realization that the future of Man and other species depends on the preservation of natural diversity. One important first step is the preservation of many large wild areas. Our natural scientists understand this well, but it has not had wide public acceptance because of our unfortunate emphasis on immediate profits, and the lingering frontier mentality which imagines there will always be another place to go. There won't, and there isn't. Please support and pass S. 2805.

I would like this letter of support for the Virginia Wilderness Bill to be a part of the record of your hearing.

Sincerely,

Don Richardson, M.D.
Box 224
Boyce, Va 22620

Sierra Club
330 Pennsylvania Avenue, S.E.
Washington, D.C. 20003
April 3, 1984

The Honorable Frederick Boucher
House of Representatives
Washington, D.C. 20515

Dear Representative Boucher:

We are writing to you to respond to concerns which we understand have been raised by the Westvaco Corporation with regard to the Virginia Wilderness Bill annd the Clean Air Act's Program to Prevent Significant Deterioration of pristine air quality and its impact on their facility at Covington, Virginia.

As you know, the areas which are designated as wilderness under your legislation, H.R. 5121, are currently Class II under the Clean Air Act's Prevention of Significant Deterioration (PSD) Program. Passage of H.R. 5121 will not alter the Class II status of these areas.

Redesignation of a wilderness area as a Class I region, allowing maximum clean air protection, can only be achieved through two possible methods, both of which seem very unlikely to happen. First, the Clean Air Act permits the Governor to redesignate any areas within a state. As far as we know, Virginia has no plans to do this.

Second, Congress could redesignate a single area or a group of areas as Class I. We understand that Westvaco's concerns with your legislation focus on the possibility of this type of redesignation. We would like to clarify that the organizations which we represent are not currently seeking any such redesignations. Nor do we have any plans to do so in the future. In addition, we know of no other attempt in Congress to redesignate any Forest Service Wilderness areas as Class I. The Sierra Club is seeking some redesignations of specified areas which are not Forest Service Wilderness areas, and we have attached a complete list of these areas.

Both the Sierra Club and the Wilderness Society are deeply interested in the designation of new wilderness areas in Virginia, and we can assure you that we have no plans to recommend new Class I redesignations in your State. We hope that this information will help you in your efforts.

Sincerely,

David Gardiner Director Washington Office Sierra Club	Tim Mahoney Washington Representative Sierra Club	Peter Coppelman Director Forest Service Wilderness Programs The Wilderness Society

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104 Wakerobin Road
Williamsburg, Va. 23185
July 18, 1984

The Hon. Roger Jepsen, Chairman
Subcommittee on Soil and Water Conservation
Senate Committee on Agriculture
United States Senate
Washington, D.C. 20510

Dear Senator Jepsen:

Virginians from all over the Commonwealth agree that now is the time to pass S. 2805. This important bill would assure the status of wilderness for lands which careful study over a period of years has determined to deserve this classification.

We must act now so that these wilderness lands are preserved for coming generations.

Please make this letter a part of the official hearing record.

Sincerely,

Mr. and Mrs. Gordon V. Bond

2015 Carlisle Avenue
Richmond, Virginia 23231
July 14, 1984

Senator Roger W. Jepsen
c/o Ms. Karla Perri
The United States Senate
Room 120, Russell Senate Office Bldg.
Washngton, D.C. 20510

Dear Ms. Perri:

We would like to bring to your attention the grave consequences that the Virginia Wilderness Bill (H.R. 5121, now pending in the Senate S. 2805) has on the recreational opportunities in the National Forests of Virginia. This bill is the result of the RARE II studies in Virginia performed over the last decade. It sets aside eleven (11) areas (about 56, 000 acres) to be designated Federal Wilderness Areas and four other areas designated for further study.

There are numerous problems with Federal Wilderness designation in Virginia. Most of the areas included have been managed and carefully protected since the Forest Service was created. Many such as St. Mary's and Mountain Lake already lie inside protected areas such as Big Levels Game Management Refuge and Mountain-Lake Scenic Area, respectively. Federal Wilderness designation gives these areas little additional protection, but the cost of this is very high. It creates new sets of laws for the Forest Service to administer as well as introducing unnecessary further Federal regulation of public lands.

The cost to recreational opportunities is even higher. Although the designated areas comprise only about 4% of the National Forest in Virginia, about 60% of the jeep roads and unimproved roads have been closed, most of which since RARE II studies started in the 1970's. The Forest Service professes to be supportive toward recreational vehicle access to the National Forest but have been unwilling to compromise on the boundaries of these areas. We have centered our arguments around three areas, Mountain Lake, Ramsey's Draft and St. Mary's River areas. We have even proposed additional areas that are ecologically unique and genuinely roadless. We have asked for small deletions (except in Ramsey's Draft) to open jeep roads yet leave almost all of the designated areas intact and make them genuinely roadless, a condition that does not exist as they are currently laid out. We have been cooperative and willing to compromise, but the Forest Service and our Senators have not.

Many in our association hunt and rely on the primitive roads into remote areas of the National Forests to be able to reach and bring out the game they hunt. The Virginia Bear Hunters Association has for years carried elderly and handicapped hunters into the mountains to hunt. These access roads are their only means to get into these areas, as they are physically unable to hike in.

There are numerous problems with the individual areas as we indicate in our "Point by Point" enclosure. Also included is the response to these by the Forest Service and our rebuttal to their response. In particular, the Forest Service maintains the fords on Ramsey's Draft are washed out as a result of a 1969 flood. The enclosed pictorial evidence clearly shows that only one of fourteen fords past the road-closed gate is washed out to the point where it is impassable to four wheel drive vehicles. Another ford is closed because of a fallen tree across the creek at the crossing, not because of flood damage. The pictures also show numerous man-made improvements along the four miles of improved gravel road through the middle of this designated area. How can this area be called roadless and why would anyone think you could experience wilderness conditions walking up a gravel road? Another argument the Forest Service has for closure of the Potts Mountain Trail near the edge, but inside the Mountain Lake Wilderness Area is that it coincides with the Appalachian Trail (A.T.). A short section of the A.T. was placed on the Potts Mountain Trail (part jeep road and part unimproved road) which is a 30 mile long ridge trail and one of the longest and most scenic ridge trails in Virginia. Most of these trails have existed since the area was logged off in the early 1900's. Some of these primitive roads (ex. VA 613) have existed since before the Civil War. However, the Appalachian Trail was moved westward from the crest of the Blue Ridge south of Roanoke to this area by 1955 and further rerouted in this area by 1975. Because of this, the jeep roads should remain open by virture of adverse possession. The Forest Service claims the small amount of ORV traffic on this jeep road poses a user conflict with the A.T., but no-one claims there is a user conflict where the A.T. coincides with several miles of VA 42, US 220, US 11, and US 460 in this part of Virginia, as in many other areas. A similar conflict is claimed in the Beartown designated area where the trail in question is not even close to the A.T.

These problems typify the cooperation we have gotten from the Forest Service and other agencies and organizations associated with the Wilderness Bill in Virginia. We are working closely with the National Rifle Association, United Four Wheel Drive Association, Mid-Atlantic Four Wheel Drive Association, Westvaco Corporation, the Virginia Bear Hunters Association, Virginia Electric and Power Company and other organizations and corporations. Most of the local governments near the areas object to Federal Wilderness Designation. We, and others, do not oppose wilderness per se, but the current Federal Wilderness Areas cut off recreational access to the National Forests except to the few hikers who are able to use the closed trails (estimated 8% of total National Forest users by the Jefferson National Forest). Vehicular users including hunters and campers comprise nearly one-half of the total users (survey enclosed). There are an estimated 12 million four wheel drive owners in this country today as well as nearly 3 million members of the National Rifle Association and several times that many non-member hunters. We maintain that the areas are poorly planned to provide the most equitable use of the National Forests.

Other potential problems include the inability of the forest managers to control the spread of the Gypsy Moth and other parasites in the wilderness areas and along the A.T.. Numerous industries have voiced concern that these areas might be changed to Class I Air Standards as the James River Face Area and Shenandoah National Park have been. Some or all of these designated areas are closed to horseback travel, a fact that no-one seems to want to acknowledge.

We feel that this bill is too costly, too poorly planned, and not an asset to the recreational and conservational qualities of the National Forests. We would be grateful for your consideration of this matter.

Respectfully,

Keith W. Gary
Off-Road Activities Co-ordinator
Virginia Four Wheel Drive Assoc.

David L. Hook
Member of Board of Directors
Virginia Four Wheel Drive Assoc.

3600 North 27th Street
Arlington, Virginia 22207
July 17, 1984

Dear Senator Jepsen:

I wish to express my full support for S. 2805, the Virginia Wilderness bill. It is my judgement that this bill provides a most satisfactory and fair proposal. I urge its approval by your Subcommittee.

May I request that my letter be made a part of the official record of the hearing.

Sincerely,

Wellington F. Barto

19 July 1984

Senator Roger W. Jepsen, Chairman
Subcommittee on Soil & Water Conservation and Forestry
United States Senate
Washington DC 20510

Dear Senator Jepsen:

Please make this letter part of the official record of your Committee's hearing scheduled for July 25, 1984 at Washington on S. 2805 and H.R. 5121, the Virginia wilderness bills.

Both S. 2805 and H.R. 5121 are excellent bills and the enactment of either one would be highly satisfactory.

Inasmuch as the areas to be designated as wilderness and those to be established as wilderness study areas are identical in both bills (except for a slight difference in acreage for the James River Face Wilderness Addition of 200 acres compared with 160 acres), there is nothing in this respect to choose between the two. These several areas and their boundaries have all been the subject of careful study over a period of 5 to 10 years or more. Their presence in the bills represents mutual compromise among various parties actively concerned, including the U.S. Forest Service. There would appear to be no reason for modifying any of them now.

Sec. 6(d) and Sec. 7 in S. 2805 are not contained in House-passed H.R. 5121 in any way. Sec. 6(d) requires a study by the Forest Service and others on the effects on air quality of the four wilderness study areas by an enlarged pulp & paper mill operation at Covington, Virginia. Such a study is appropriate given the extensive discussion this topic has had during 1983 and 1984. However, since these portions of the national forests in Virginia are now rated as Class 2 for Clean Air Act purposes (like practically all of Virginia, including Covington) and will continue to be Class 2 unless and until changed by direct act of Congress, it seems most unlikely that the study will disclose any new or changed conditions so long as the Covington plant complies with the Clean Air Act as presently written.

Sec. 7 says in effect that the protections of the Wilderness Act shall not extend beyond the statutory boundaries of any designated wilderness. Such has long been the common understanding of the Wilderness Act of 1964. It is only with respect to the "Primitive Areas" mentioned in the original Wilderness Act, which had no officially defined boundaries, that a question was raised as to the physical limits of the Wilderness Act's application. These "Primitive Areas" are in no way involved in

Virginia. The legal need for Sec. 7 is not apparent. It could well be omitted.

In summary, favorable and early reporting is urged of either S. 2805 or H.R. 5121 by your committee and the full Committee on Agriculture of whichever bill may be preferred.

Thank you, Chairman Jepsen.

Sincerely,

Ernest M. Dickerman
Rt. 1, Box 156
Swoope, VA 24479

Thelma C. DuVinage
3316 North Vernon Street
Arlington, Virginia 22207

Honorable Roger Jepson, Chairman
Agriculture Subcommittee on Soil and Water
United States Senate
Washington, DC

Dear Senator Jepson

I am writing to express my strong support for S. 2805 recently introduced by our two senators John W. Warner and Paul Trible for our Virginia Wilderness Bill.

Many of us in Virginia have been looking forward to passage of a bill that would designate areas in our State as Wilderness. S. 2805 is a modest Bill. We want to see it passed.

Of course there is opposition particularly from Westvaco Corp. What Bill has yet been presented without some opposition? I attended the Hearings on the House where Westvaco was given ample time to present their concerns. Their chief fear that a change in air quality classification to class I was dismissed as unwarrented as it should be. What Governor in Virginia would ask for such a change and what Congress would pass such a reclassification? There is no need--However we do want some cherished areas in our state designated as wilderness.

I am requesting that my letter be made a part of the official Hearing Record.

Jennifer S. Gaden
1438 Grove Road
Charlottesville, Virginia 22901
July 21, 1984

The Honorable Roger Jepsen, Chairman
Subcommittee on Soil and Water Conservation
Senate Committee on Agriculture
United States Senate
Washington, D.C. 20510

Dear Senator Jepsen,

I am writing to urge you to give your full support to the Virginia Wilderness Bill, S. 2805. I've been living in Virginia for five years now, annd feel very much a Virginian, first because of the warmth and friendliness of its people, and second because of the state's extraordinary natural beauty. I'm proud as I drive along the highway and see cars with out-of-state plates. "See how beautiful we are?" I secretely say to them. "Take your time. Enjoy it. Love it as I do."

The mountains of the Jefferson and George Washington National Forests are unique in the grandure of the trees and variety of species, in the clarity of the streams, the abundance of wild flowers and ferns, and attendant wildlife. These are uniquely Virginia's--a heritage we treasure and must preserve. They are a link to our past, reminding us of the quality of people who preceded us, who lived and preserved in such wilderness that eventually became Virginia. The wilderness is a vital part of our history, and will serve us and future generations as a reminder, as well as an inspiration and a source of pride.

Please make this statement a part of the official hearing record.

July 17, 1984

Senator Roger Jepsen, Chairman
Subcommittee on Soil and Water Conservation
U.S. Senate
Washington, DC 20510

Dear Senator Jepsen:

We are writing you asking that you support Virginia Wilderness Bill S. 2805 as written and work to have it reported out promptly so that it can be acted on this session. Both the Forest Service and the proponents of wilderness have worked for several years on supportable wilderness areas in both the Jefferson and the George Washington National Forests.

We, personally, believe that a certain amount of land should be set aside under Congressional protection for its value both as gene pools and as examples of what happens to forest land if nature is left to take its course.

The total area of these wilderness proposals is an infintesimal part of the total land area of these two forests--and by and large does not represent the higher timber values on the forests. We also point out that the multiple use values of these areas include, in addition to recreation, gene pools and study areas, soil erosion prevention (all are in mountainous areas), watershed and wildlife values--badly needed bear habitat particularly.

Please have this letter included in the committee hearing on S. 2805.

Sincerely,

Mr. & Mrs. Carl J. Holcomb
Route 2, Box 385
Blacksburg, Virginia 24060

Rt. 1, Box 39
Pewbroke, Va 24136
July 19, 1984

Senator Roger Jepsen
Chairman
Washington, D.C. 20510

Dear Senator

You have my full support of the Virginia Wilderness Bill S. 2805. It is my prayer that my little great granddaughter, born in Maine June 14, 2 yrs ago, will grow up to see and enjoy the beauty and blessings our lord has given us and that you and I have enjoyed. Leave something for the future generations that God made and man did not mess up.

I request that my letter and information be made a part of the official hearing record.

Sincerely yours,

Anna Gore Medley
Giles Co.
Fighting Ninth of Va.

1400 Gentry Lane
Charlottesville, Virginia 22903
7/17/84

Senator Roger Jepsen
Chairman
Subcommittee on Soil and Water Conservation
Senate Committee on Agriculture
U.S. Senate
Washington, D.C. 20510

Dear Senator Jepsen:

Knowing some of the land first-hand, I enthusiastically urge passage of the long overdue S. 2805 Virginia Wilderness Bill.

Let's get on with what will be a fine achievement!

And please include this note in your hearing record--thanks.

Sincerely

Matthias E. Kayhoe

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164 The Maine
Williamsburg, Virginia 24185
July 17, 1984

Senator Roger Jepsen, Chairman
Subcommittee on Soil and Water Conservation
Senate Committee on Agriculture
United States Senate
Washington, D.C. 20510

Dear Mr. Jepsen:

I am writing to let you know that I am very much in favor of the Virginia Wilderness Bill S. 2805, and I hope you will do all that you can to support it and get it passed as soon as possible. I would like to have this letter made part of the official hearing record.

I feel it is very important for Virginia to have the areas in this bill made part of the Wilderness System for future generations to enjoy. It will preserve plants, birds, and animals that need this extra protection as well as providing wild areas for future hikers to explore and regenerate. This will also protect soil on steep mountains and prevent erosion and silting into our rivers. These scenic areas need wilderness protection.

Thank you for your help in getting this bill passed.

Sincerely,

(Mrs.) Miriam J. Hotchkiss

July 19, 1984

Sen. Roger Jepsen, Chairman
Subcommittee, Soil & Water Conservationn
Senate Agriculture Committee
U.S. Senate
Washington, D.C 20510

Dear Senator Jepsen,

Just a line to ask you to give full consideration, and then your support, to the Virginia Wilderness Bill S. 2805. All of us here in Rockbridge County have worked for a wilderness bill; we have signed petitions, sent letters and attended hearings. The majority of the ordinary citizens in Virginia want these beautiful areas set aside, from commercial despoilation, for their enjoyment and most of all, for their children's.

Once opened to road-building, lumbering, mining, etc., what they have will be forever lost, and cannot be replaced. And these areas represent only a small part of Virginia's land.

While writing, I would like to request that this letter be made a part of the official hearing record.

Thank you for your considered support!

Sincerely,

Mrs. Kenneth Jordan
Rt. 1, Box 90
Lexington, VA 24450

Rt. 3, Box 229
Lexington, VA 24450

Senator Roger Jepsen
U.S. Senate

Dear Senator Jepsen:

I am writing to urge you to lend your support to the Virginia Wilderness Bill (S. 2805). Myself and many other concerned citizens have worked hard for years to get to this point, and feel strongly that these few wilderness areas which remain should be protected for future generations to enjoy. I look forward to early and successful passage of this bill. Please include my letter in the hearing record.

Sincerely,

Dennis W. Slifer

Rt. 1, Box 264
Lyndhurst, Va 22952

Senator Roger Jepsen, Chairman
Subcommittee on Soil and Water Conservation
Senate Committee on Agriculture
U.S. Senate
Washington, DC 20510

Dear Senator Jepsen:

My wife and I wish to communicate our full and strong support for the Virginia Wilderness Bill (S. 2805) recently introduced by our senators, John Warner and Paul Trible.

The areas under consideration for wilderness designations are unique, and deserving of statutory protection. We see this as an act of stewardship of our natural resources, a chance for recreational and educational pursuits, and an investment on behalf of our children.

We appreciate your help and interest. Please make this letter a part of the official hearing record.

Sincerely,

R. Douglas and Marian Hackney

106 E. Deer Park Dr.
Gaithersburg, Md. 20877

Senator Roger Jepsen, Chairman
Subcommittee on Soil and Water Conservation
Senate Committee on Agriculture
United States Senate
Washington, DC 20510

Dear Senator Jepsen:

This regards the upcoming hearing you are holding on S. 2805, the Virginia Wilderness Bill, and we request that it be made part of the official hearing record. Although we are not Virginia residents, we sometimes feel as if we are since so much of our free time is spent in Virginia, particularly in the wilder areas such as GW National Forest, Shenandoah National Park and the Shenandoah Valley. The incredible beauty of Virginia rates her in our mind as one of the most desirable (to live in) states in the nation. We are pleading here that a tiny percentage of the original wilderness, so prominent in Virginia history, be preserved for the future. We think this makes good sense not only from a viewpoint of the possibility of personal self-renewal by wilderness experience, but also as a natural ecosystem which can be observed as a control of how things ought to be, when all around the natural balance has been shifted by man's activities. Passage of this Bill will generate the thanks of many of the present generation but will also insure the gratitude of the future.

Yours sincerely,

Paul F, Glenda M., Ian J., and Jessica R. Torrence

Dear Senator Jepsen:

I understand your committee will be holding on the Virginia wilderness bill this week. I want you to know that I, and a lot of my friends, think this is a good bill, and we urge its passage.I think these wilderness areas add a lot of variety to Virginia--they certainly add beauty. I know you're busy, and just want to let you know my opinion.

Thank you, sir.

Sincerely,

Charley Putnam
Rt. 4, Box 108
Salem, Va 24153

2727 N. Kensington Street
Arlington, Virginia 22207
July 18, 1984

Hon. Roger Jepsen
Chairman, Subcommittee on Soil and Water Conservation
Committee on Agriculture
United States Senate
Washington, D.C. 20510

Dear Senator Jepsen:

You have scheduled a meeting of the subcommittee soon to consider S. 2805 that establishes wilderness areas and wilderness study areas in the Jefferson and George Washington National Forests in Virginia. A similar measure, H.R. 5121, has already been approved overwhelmingly by the House of Representatives.

I strongly favor wilderness designation for the areas with which I am personnally familiar--Ramseys Draft, Mountain Lake, and the James River Face--and I am sufficiently aware of the long and involved process that has been going on in Virginia to reach agreement on this designation for the other areas specified in the bill to feel that the entire measure deserves enactment by the Congress and the President.

While I am getting along in years and may not be able to visit all these proposed wilderness areas in the time left to me, I would be gratified to know that my children and my children's children will be able to find a little wilderness in Virginia.

As Senator Warner said in intoducing S. 2805, the bill "is a balanced approach to wilderness preservation in Virginia...(and) the culmination of years of discussion and compromise among all interested parties."

I hope that your subcommittee and the full committee will report the measure favorably. I would appreciate your making this letter a part of the official hearing record.

Sincerely yours,

Samuel A. Tucker

11923 Escalante Court
Reston, Virginia 22091
July 20, 1984

Senator Roger Jepsen, Chairman
Subcommittee on Soil and Water Conservation
Committee on Agriculture
United States Senate
Washington, D.C. 20510

Dear Senator Jepsen:

This letter is to express my strong support for Senate bill S. 2805, introduced by Senators Warner and Trible of Virginia, to designate certain tracts of land in the State, now under National Forest Service administration, as part of the national Wilderness system.

Efforts to give Virginia some of the long term protection of its land through the Wilderness system, enjoyed by many other States, have been long in coming. Many of the citizens have been strongly supportive of such efforts. I find it thus particularly gratifying that a fine bill is now being introduced by both Senators from our State. The lands that S 2805 is intended to protect are fine examples of Appalachian woodland, and because of continuing development in the eastern seaboard this kind of land is becoming increasingly scarce. We need to pass some samples of our heritage to future generations, and S 2805 could go a long way toward that end.

Please do whatever within your power to speed the passage of this bill through the Subcommittee which you chair, and the parent Committee. Your help in steering the bill through the Senate floor is also respectfully requested.

Please make this letter a part of the official hearing record.

Yours sincerely,

E-an Zen

Calendar No. 1192

98TH CONGRESS
2D SESSION

S. 2773

[Report No. 98–611]

To designate certain National Forest System lands in the State of Georgia to the National Wilderness Preservation System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 19 (legislative day, JUNE 11), 1984

Mr. NUNN (for himself and Mr. MATTINGLY) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

SEPTEMBER 18 (legislative day, SEPTEMBER 17), 1984

Reported by Mr. HELMS, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To designate certain National Forest System lands in the State of Georgia to the National Wilderness Preservation System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, ~~That this Act may be cited as the "Georgia Wilderness Act of 1984".~~

~~SEC. 2. In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131–1136), the following lands are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:~~

~~(1) certain lands in the Chattahoochee National Forest, Georgia, which comprise approximately two thousand acres, as generally depicted on a map entitled "Ellicott Rock Wilderness Addition—Proposed," dated June 1984, and which are hereby incorporated in, and shall be deemed to be part of, the Ellicott Rock Wilderness as designated by Public Law 93–622;~~

~~(2) certain lands in the Chattahoochee National Forest, Georgia, which comprise approximately twelve thousand four hundred and thirty-nine acres, as generally depicted on a map entitled "Southern Nantahala Wilderness—Proposed," dated June 1984, and which shall be known as the Southern Nantahala Wilderness.~~

~~SEC. 3. As soon as practicable after enactment of this Act, the Secretary of Agriculture shall file a map and a legal description of each wilderness area designated by this Act with the Committee on Interior and Insular Affairs and the Committee on Agriculture of the United States House of Representatives and with the Committee on Agriculture, Nutrition, and Forestry of the United States Senate. Each such map and description shall have the same force and effect as if~~

~~included in this Act except that the Secretary of Agriculture may make correction of clerical and typographical errors in each such legal description and map. Each such map and description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, United States Department of Agriculture.~~

~~SEC. 4. Subject to valid existing rights, each wilderness area designated by this Act shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.~~

~~SEC. 5. (a) The Congress finds that—~~

~~(1) the Department of Agriculture has completed the second Roadless Area Review and Evaluation Program (RARE II); and~~

~~(2) the Congress has made its own review and examination of National Forest System roadless areas in the State of Georgia and of the environmental impacts associated with alternative allocations of such areas.~~

~~(b) On the basis of such review, the Congress hereby determines and directs that—~~

~~(1) without passing on the question of the legal and factual sufficiency of the RARE II final environ-~~

~~mental impact statement (dated January 1979) with respect to National Forest System lands in States other than Georgia, such statement shall not be subject to judicial review with respect to National Forest System lands in the State of Georgia;~~

~~(2) with respect to the National Forest System lands in the State of Georgia which were reviewed by the Department of Agriculture in the second Roadless Area Review and Evaluation (RARE II), and those lands referred to in subsection (d) that review and evaluation shall be deemed for the purposes of the initial land management plans required by the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976 to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless, prior to such time, the Secretary of Agriculture finds that conditions in a unit have significantly changed;~~

~~(3) areas in the State of Georgia reviewed in such final environmental statement or referenced in subsection (d) and not designated as wilderness by this Act or by previous Acts of Congress, need not be managed for the purpose of protecting their suitability for wilderness designation pending revision of the initial land management plans; and~~

~~(4) unless expressly authorized by Congress the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Georgia for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.~~

~~(c) As used in this section, or as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term "revision" shall not include an "amendment" to a plan.~~

~~(d) The provisions of this section shall also apply to National Forest System roadless lands in the State of Georgia, which are less than five thousand acres in size.~~

~~(e) The provisions of this section shall not apply to—~~

~~(1) the Georgia portion of the Big Frog Wilderness Study Area as designated by the Eastern Wilderness Act of 1976; and~~

~~(2) the following areas in the Chattahoochee National Forest, Georgia, generally depicted on a map entitled "Chattahoochee National Forest RARE II Inventory," dated June 1984, and which are known as—~~

~~(A) "Raven Cliff," comprising approximately nine thousand one hundred acres;~~

~~(B) "Overflow," comprising approximately five thousand acres;~~

~~(C) "Blood Mountain," comprising approximately nine thousand four hundred acres;~~

~~(D) "Chattahoochee River," comprising approximately twenty-one thousand six hundred acres;~~

~~(E) "Tray Mountain," comprising approximately thirty-six thousand six hundred acres;~~

~~(F) "Hemp Top," comprising approximately two thousand seven hundred acres;~~

~~(G) "Mountain Town," comprising approximately six thousand seven hundred acres;~~

~~(H) "Rich Mountain," comprising approximately fifteen thousand six hundred acres;~~

~~(I) "Brasstown," comprising approximately three thousand six hundred acres; and~~

~~(J) "Wolf Pen," comprising approximately seven thousand seven hundred acres.~~

~~These areas shall be considered for all uses, including wilderness during preparation of a forest plan for the Chattahoochee National Forest pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended.~~

That this Act may be cited as the "Georgia Wilderness Act of 1984".

DESIGNATION OF WILDERNESS AREAS

SEC. 2. In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131–1136), the following lands in the State of Georgia are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(1) certain lands in the Chattahoochee National Forest, Georgia, which comprise approximately two thousand acres, as generally depicted on a map entitled "Ellicott Rock Wilderness Addition—Proposed," dated June 1984, and which are hereby incorporated in, and shall be deemed to be part of, the Ellicott Rock Wilderness as designated by Public Law 93–622; and

(2) certain lands in the Chattahoochee National Forest, Georgia, which comprise approximately twelve

thousand four hundred and thirty-nine acres, as generally depicted on a map entitled "Southern Nantahala Wilderness—Proposed," dated June 1984, and which shall be known as the Southern Nantahala Wilderness.

MAPS AND DESCRIPTIONS

SEC. 3. As soon as practicable after enactment of this Act, the Secretary of Agriculture shall file a map and a legal description of each wilderness area designated by this Act with the Committee on Interior and Insular Affairs and the Committee on Agriculture of the United States House of Representatives and with the Committee on Agriculture, Nutrition, and Forestry of the United States Senate. Each such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in each such map and description may be made by the Secretary. Each such map and description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

ADMINISTRATION OF WILDERNESS

SEC. 4. Subject to valid existing rights, each wilderness area designated by this Act shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the *effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.*

EFFECT OF RARE II

SEC. 5. (a) The Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and

(2) the Congress has made its own review and examination of National Forest System roadless areas in the State of Georgia and of the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to National Forest System lands in States other than Georgia, such statement shall not be subject to judicial review with respect to National Forest System lands in the State of Georgia;

(2) with respect to the National Forest System lands in the State of Georgia which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II) and those lands referred to in subsection (d), that review and evaluation or reference shall be deemed for the purposes

of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless, prior to such time, the Secretary of Agriculture finds that conditions in a unit have significantly changed;

(3) areas in the State of Georgia reviewed in such final environmental statement or referenced in subsection (d) and not designated wilderness upon enactment of this Act shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976: Provided, That such areas need not be managed for the purpose of protecting their suitability for wilderness designation

prior to or during revision of the initial land management plans;

(4) in the event that revised land management plans in the State of Georgia are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law; and

(5) unless expressly authorized by Congress the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Georgia for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(c) As used in this section, or as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term "revision" shall not include an "amendment" to a plan.

(d) The provisions of this section shall also apply to National Forest System roadless lands in the State of Georgia, which are less than five thousand acres in size.

(e) The provisions of this section shall not apply to—

(1) the Georgia portion of the Big Frog Wilderness Study Area as designated by Public Law 93–622; and

(2) the following areas in the Chattahoochee National Forest, Georgia, as generally depicted on a map entitled "Chattahoochee National Forest RARE II Inventory," dated June 1984, and which are known as—

(A) "Raven Cliff," comprising approximately nine thousand one hundred acres;

(B) "Overflow," comprising approximately five thousand acres;

(C) "Blood Mountain," comprising approximately nine thousand four hundred acres;

(D) "Chattahoochee River," comprising approximately twenty-one thousand six hundred acres;

(E) "Tray Mountain," comprising approximately thirty-six thousand six hundred acres;

(F) "Hemp Top," comprising approximately two thousand seven hundred acres;

(G) "Mountain Town," comprising approximately six thousand seven hundred acres;

(H) "Rich Mountain," comprising approximately fifteen thousand six hundred acres;

(I) "Brasstown," comprising approximately three thousand six hundred acres; and

(J) "Wolf Pen," comprising approximately seven thousand seven hundred acres.

These areas shall be considered for all uses, including wilderness, during preparation of a forest plan for the Chattahoochee National Forest pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended.

Amend the title so as to read: "A bill to designate certain National Forest System lands in the State of Georgia as wilderness, and for other purposes.".

Calendar No. 1192

98TH CONGRESS
2d Session

SENATE

REPORT
98-611

GEORGIA WILDERNESS ACT OF 1984

SEPTEMBER 18 (legislative day, SEPTEMBER 17), 1984.—Ordered to be printed

Mr. HELMS, from the Committee on Agriculture, Nutrition, and Forestry, submitted the following

REPORT

[To accompany S. 2773]

The Committee on Agriculture, Nutrition, and Forestry, to which was referred the bill (S. 2773) to designate certain National Forest System lands in the State of Georgia to the National Wilderness Preservation System, and for other purposes, having considered the same, reports favorably thereon with an amendment and an amendment to the title and recommends that the bill, as amended, do pass.

SHORT EXPLANATION

The bill, as reported by the Committee, would designate 2 areas (totaling approximately 14,439 acres) in the national forests in the State of Georgia as wilderness areas and as components of the National Wilderness Preservation System. The bill provides for the Secretary of Agriculture to administer the areas designated as wilderness by the bill in accordance with the provisions of the Wilderness Act, to promptly file maps and legal descriptions of the designated areas with appropriate committees of Congress, and to make the maps and descriptions available for public inspection.

Further, the bill contains language to ensure that National Forest System lands in the State of Georgia that were studied in the Department of Agriculture's second roadless area review and evaluation and not designated as wilderness by the bill are released for such uses as are deemed appropriate through the national forest management planning process. The bill also prohibits, unless expressly authorized by Congress, any further statewide roadless area review and evaluation of National Forest System lands in Georgia for purposes of considering the wilderness suitability of such lands.

COMMITTEE AMENDMENT

The Committee amendment to the text of the bill strikes all after the enacting clause and inserts in lieu thereof an amendment in the nature of a substitute. In addition to making technical and other clerical changes, the substitute incorporates the compromise release language agreed to earlier this year.

The Committee amendment to the title of the bill is clerical in nature.

PURPOSE AND NEED FOR LEGISLATION

S. 2773 has as its purpose the designation of two additions to wilderness areas in the national forests in the State of Georgia. The legislation is the result of a review by the United States Department of Agriculture conducted during the period of 1977 through 1979 and termed the second roadless area review and evaluation (RARE II). That study examined the lands of the National Forest System nationwide and, through the final environmental impact statement issued by the Department of Agriculture in January 1979, recommended designation of these lands as wilderness, including the two areas that would be designated by S. 2773.

The bill would also ensure that national forest lands not designated as wilderness or for wilderness study are released for such uses as are determined appropriate through the national forest land management planning process.

WILDERNESS DESIGNATIONS

Currently, there are 5 wilderness areas in Georgia totaling approximately 400,000 acres. The national forest lands that would be designated as wilderness by S. 2773 total approximately 14,439 acres. They are located in the Chattahoochee National Forest. The areas to be designated as wilderness contain unique plant and animal life, stands of virgin timber, streams excellent for swimming and fishing, and high mountains. The areas provide opportunities for hunting, fishing, hiking, and camping in a wild setting.

The steep, scenic terrain of both Ellicott Rock and Southern Nantahala discourages timber management practices. Wilderness protection of these two areas will ensure the preservation of some of the most outstanding scenic areas of Rabun County in which most of both proposed wilderness areas lie.

The two areas designated as wilderness would become part of the National Wilderness Preservation System. They would be managed by the Forest Service under provisions of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1131-1136).

A description of the wilderness proposals of the bill follows:

Ellicott Rock Wilderness Addition

This proposal comprising approximately 2,000 acres was recommended for wilderness by the Forest Service in RARE II. It would be incorporated in, and deemed to be a part of, the Ellicott Rock Wilderness located in the Chattahoochee National Forest in Georgia. This proposed addition is characterized by its rugged topography, sharp ridges, dense vegetation, and narrow valleys of the southern highland country. The area is located in the high ranges of the Southern Appalachian chain of the Blue Ridge Mountains. Notable peaks include Glade Mountain, Redside Mountain, and Bee Bait Mountain which together form a ridge delineating the southwestern boundary.

The Chattooga River, a national Wild and Scenic River, flows from north to south through the area. Flanking the river, steep terrain and high ridges dominate. The vegetation consists of Appalachian hardwood types and a mixture of some pine and hemlock. The area is of considerable botanical interest and is believed to contain threatened or endangered plant and animal species.

Southern Nantahala Wilderness

This area containing approximately 12,439 acres was recommended for wilderness by the Forest Service in RARE II, and is also located in the Chattahoochee National Forest, It is one of the most remote and unique, rugged land masses south of the Great Smoky Mountains and is bisected by the Blue Ridge Divide. Most of the area is above 3,000 feet in elevation and contains the State's third and fourth highest peaks, Hightower Bald and Dicks Knob, and it also includes the headwaters of the Tallulah River, Coleman River, and several small streams. A prominent landmark of the area is Standing Indian Peak, at 5,499 feet. The headwaters of the Nantahala River begin east of the peak.

Vegetation consists primarily of Appalachian hardwoods with red oak, chestnut oak, yellow poplar and hickory being some of the species. Portions of the area have hemlock and pine mixed with the hardwoods. Wildlife within the area include whitetail deer, black bear and, possibly, mountain lion plus an assortment of smaller game and nongame animals. The area also provides a habitat for 54 species of rare or uncommon plants that are found at no other place in Georgia.

A portion of the Appalachian Trail crosses some of the high ridges and peaks of the area.

SUFFICIENCY AND RELEASE LANGUAGE

Background

In 1924, when the U.S. Forest Service decided it should manage wilderness as one of the many uses to be made of the National Forest System, it established the Gila Wilderness Reserve in the Gila National Forest in New Mexico. The pupose was to keep some parts of the Nation's forests in the condition in which mankind had found them, both as scientific benchmarks against which civilization's works could be compared and as recreational refuges for people who wanted to temporarily get away from the stresses of civilization. During the next 40 years, the Forest Service administratively established more of these areas, mostly in the West, from which evidence of human technology and development are substatially excluded.

In 1964, this wilderness concept became national policy when Congress passed the Wilderness Act and established the National Wilderness Preservation System. That System incorporated the 9.1 million acres that had been set aside by the Forest Service over the previous 4 decades. Generally the Wilderness Act specifies that within wilderness areas there will be no roads, no timber harvesting, no structures or installations, and no use of motor boats or landing of aircraft. Each wilderness area was to be an area where man was a visitor who did not remain.

The Wilderness Act gave the Forest Service 10 years to complete studies of the national forest primitive areas—areas temporarily reserved from access pending study of their suitability for wilderness designation. In addition, Congress provided that no future wilderness could be created in the national forests, except by Act of Congress. However, Congress did not preclude the management of lands within the National Forest System for primitive, roadless recreation, within the concept of multiple-use management.

As the Forest Service began its review of primitive areas within the national forests in the late 1960's to determine the suitability for wilderness designation of specific tracts, a number of problems arose in connection with established timber management plans. In many forests, after new sales were advertised, administrative protests were filed, charging that a particular sale would violate the statutory concept of multiple use. Usually, the allegation was that the proposed sale was in an area that should be designated as wilderness or that should be devoted to unstructured recreation with no harvesting of timber. As timber sales became tied up in such appeals and the orderly management of the national forests disintegrated, the Forest Service instituted the first roadless area review and evaluation (RARE I) as the planning process to resolve the problems.

By 1973, RARE I had resulted in the selection of 274 wilderness study areas containing approximately 12.3 million acres. The other roadless areas in the RARE I inventory, having been considered and rejected for possible wilderness designation, were not protected as wilderness and remained in their full multiple-use status.

The National Environmental Policy Act (NEPA) became law on January 1, 1970. It required the Executive Branch, before making any major decision having a significant impact on the human environment, to prepare an assessment of the environmental impact of the proposed action. The NEPA was the basis of a lawsuit filed in 1972, as the RARE I process was nearing completion, that charged that the Forest Service must prepare environmental impact statements on roadless areas that were supposedly returned to multiple-use management. The Federal District Court for the Northern District of California agreed that the agency was subject to the decisionmaking process prescribed by NEPA, and all development activities on the roadless areas were stopped. See *Sierra Club* v. *Butz,* Civ. No. 72-1445-SC (N.D. Cal. 1972) 3 Environmental Law Reporter 20071.

As a result of restricted sources of timber supplies, tremendous pressures were placed on the remaining National Forest System lands that remained open to timber harvesting. In some forests, timber sale levels dropped dramatically below the allowable cuts.

In other forests, timber sale levels were maintained, but sales were concentrated on lands outside the RARE I roadless areas. In these forests, the concentration of sales at the full sales volume on a limited area produced fears that these available areas would be overcut to the detriment of land and watersheds.

It was obvious that a remedy was needed for this situation, and the Forest Service decided that a faster planning process was the answer. Thus, the second roadless area review and evaluation (RARE II) was formulated to expedite the planning process for roadless areas. RARE II began in June 1977 and was intended to survey the roadless and undeveloped areas within the National Forest System and to distinguish areas suitable for wilderness designation from those most appropriate for other uses. The areas found suitable for wilderness would be recommended for addition to the National Wilderness Preservation System through congressional action. The remaining roadless lands would be allocated to nonwilderness uses determined under the multiple-use planning process, or allocated to further study.

On April 16, 1979, President Carter made final recommendations to Congress based on the review of 2,919 identified roadless areas encompassing 62 million acres in the National Forest System. The Administration recommended that wilderness designation be given to approximately 15.1 million acres of the original 62-million acre roadless inventory. Another 10.8 million acres of roadless lands were determined to require further planning before decisions were made on their future management. The balance of the areas, which totaled about 36 million acres, were allotted to nonwilderness, multiple-use management.

Much litigation has occurred since the RARE II recommendations. This has had a direct bearing on congressional consideration of wilderness legislation. In June 1979, the State of California challenged the RARE II wilderness and nonwilderness allocations on National Forest System lands in that State. *California* v. *Bergland,* 483 F. Supp. 465 (E.D. Cal. 1980). The State and various environmental organizations which joined the lawsuit claimed that the RARE II final environmental impact statement was legally flawed. On January 8, 1980, the Federal district court agreed with the State's position, finding that the environmental statement for RARE II was deficient under the provisions of the National Environmental Policy Act. The Court ruled that a more site-specific analysis of wilderness qualities was required for 46 of the areas allocated for nonwilderness. Additionally, the Court found flaws in the RARE II analysis process. As a result, the Court enjoined any development in the 46 disputed areas, pending preparation of an adequate environmental impact statement. The major points of the district court ruling were affirmed by the Ninth Circuit Court of Appeals. *California* v. *Block,* 690 F. 2d 753 (9th Cir. 1982).

The ruling by the Court of Appeals that the RARE II environmental impact statement was deficient had a significant impact on Forest Service activities. Although the decision applied specifically only to the 46 roadless areas in California, it was binding on other Federal district courts in the Ninth Circuit (comprising the States of California, Oregon, Washington, Idaho, Montana, Nevada, Arizona, Alaska, and Hawaii) and could be cited in States outside the

Ninth Circuit's jurisdiction. The reasoning of the decision produces uncertainty regarding the RARE II study for other States. Management of roadless areas not designated as wilderness is subject to challenge through administrative appeals and lawsuits. In fact, such challenges have occurred. There have been three lawsuits filed in the Northwest that rely extensively on *California* v. *Block*. In *Earth First* v. *Block* (Civil No. 83-6298-ME-RE, D. Oreg.), the United States District Court for the District of Oregon enjoined the Forest Service from taking or permitting any action which would be inconsistent with the wilderness character of a roadless area in Oregon until the requirements of *California* v. *Block* and the NEPA have been met. Similarly, in *Kettle Range Conservation Group* v. *Block* (Civil No. C-83-590-JLQ, E.D. Wash.), the Forest Service was enjoined from taking or permitting any action which will change the wilderness characteristics of four roadless areas in Washington. In December 1983, the Oregon Natural Resources Council brought suit against the Forest Service in an attempt to enjoin any activity which would impair the wilderness characteristics of approximately 2.25 million acres of roadless lands in Oregon until the requirements of NEPA have been met. That suit is pending. *Oregon Natural Resources Council* v. *Block*, Civil No. 83-1902, D. Oreg.

In February 1983, Assistant Secretary of Agriculture John B. Crowell, Jr., announced that all roadless areas studied for wilderness potential during RARE II would be subject to reevaluation. This reevaluation was to be done as a part of the National Forest System land management planning process then underway for 120 national forest planning units and scheduled for completion in 1985.

The desire to avoid further wilderness study and to preclude litigation directed at stopping the continuation of management activities on roadless areas led to a search for a legislative solution. Provisions termed "sufficiency" and "release" language were the outcome of that search. Such language has appeared in legislation designating wilderness areas in Colorado, New Mexico, Alaska, Missouri, West Virginia, and Indiana. That language, which was generally patterned after the Colorado wilderness bill, continued to trouble a number of affected industry groups, and in an effort to address their concerns, Congress developed and agreed on a new version of the so-called "release" language, which is included in the bill.

The status of National Forest System areas designated for further planning by RARE II and lying east of the 100th meridian was also placed in doubt by a case originating in North Carolina. The Eastern Wilderness Act designated certain National Forest System lands as wilderness and designated other lands as wilderness study areas. That Act directed the Secretary of Agriculture to review the study areas for their suitability or nonsuitability for wilderness designation and to make recommendations to the President, including recommendations for wilderness study areas. In *Southern Appalachian Multiple Use Council* v. *Bergland* (No. A-C-80-1, W.D. N.C.), a Federal district court ruled, in relying on the Eastern Wilderness Act, that the Secretary had no authority to administratively designate "further planning" areas (and thereby administratively withhold any management activities in the area pending the completion of the study and determination of the area's status), but only to *recommend* areas to be designated as wilderness study areas. The court also ruled that the Secretary could manage the areas recommended so as not to impar their suitability for wilderness, pending congressional action. The ruling had an effect on the land management planning process on eastern national forests (those affected by the provisions of the Eastern Wilderness Act) insofar as the evaluation of areas for wilderness suitability is concerned. Under the court's ruling, forest plans on national forests east of the 100th meridian cannot recommend areas for wilderness designation, rather they can only recommend to Congress that such areas be studied for their wilderness suitability.

Sufficiency and judicial review of the RARE II environmental statement

The bill contains language relating to the sufficiency of the RARE II final environmental impact statement. As previously discussed, the need for the language arises because of a Federal district court decision in *California* v. *Bergland, supra,* in which it was held that the RARE II environmental impact statement, as it applied to 46 areas considered for wilderness in California, had insufficiently considered the wilderness alternative for the areas. Activities that would impair the wilderness characteristics of the areas were enjoined until subsequent reconsideration of wilderness was completed. This action creates uncertainty over the management of some nonwilderness areas, where administrative or judicial appeals could halt some activities until adequate environmental impact statements are prepared. The Committee, in considering the bill, has reviewed the roadless areas in Georgia. It believes that the RARE II final environmental impact statement, insofar as National Forest System lands in Georgia are concerned, is sufficient, and, therefore, the bill provides that such environmental statement shall not be subject to judicial review.

Release, management, and future wilderness consideration of nonwilderness areas

The RARE II process during 1977 through 1979 took place concurrently with the development by the Forest Service of a new land management planning process mandated by the National Forest Management Act of 1976 (NFMA). That process requires the national forest land management plans to be reviewed and revised periodically to provide for a variety of uses on the land. During the review and revision process, the Forest Service is required to study a broad range of potential uses and options for each national forest. NFMA provides that the option of recommending land to Congress for inclusion in the National Wilderness Preservation System is only one of the many options that must be considered during the planning process for those lands which may be suited for wilderness designation. The Forest Service is presently developing the initial, or "first generation", plan for each national forest. These are the so-called "section 6" plans, and they are scheduled for completion by September 30, 1985. Upon implementation, these plans will be in effect for 10 to 15 years before being revised and updated.

One of the goals of RARE II was to consider the wilderness potential of National Forest System roadless areas. The Committee believes that further consideration of the wilderness option during development of the initial plans for the National Forest System roadless areas in Georgia, as defined in section 5 of the bill, and during the period when the initial plan is in effect, would be duplicative of studies and reviews that have already been made by both the Forest Service and Congress. Therefore, the bill provides that the RARE II evaluation or the reference to certain other lands constitutes an adequate consideration of the suitability of these roadless areas for inclusion in the National Wilderness Preservation System and no further review by the Department of Agriculture shall be required prior to the revision of the initial land management plan for the national forest. This provision is necessary to ensure that these lands will be considered as functioning units of the national forests and has the practical effect of releasing these lands for multiple uses other than wilderness.

The NFMA provides that a national forest management plan shall be in effect for no longer than 15 years before it is revised. The Forest Service regulations, however, provide that a forest plan "shall ordinarily be revised on a 10-year cycle or at least every 15 years." (36 CFR 219.10(g).) The language of the bill tracks these regulations.

By tying future review of the wilderness option to revision of initial plans, the Committee intends to make it clear, consistent with the NFMA and current Forest Service regulations, that amendments to a plan, including those that might result in a significant change in a plan, would not trigger the need for reconsideration of the wilderness option. The wilderness option does not need to be reconsidered until the Forest Service determines (1) based on a review of the lands covered by a plan, that conditions in the area covered by a plan have changed so significantly that the entire plan needs to be completely revised, or (2) that the statutory 15-year maximum life span of the plan is expiring.

A revision of a forest plan is a costly undertaking in terms of dollars and manpower and the Committee does not expect such an effort to be undertaken lightly. When required by changing conditions, the Forest Service should make very effort to address local changes in land management plans through the amendment process, reserving the revision option only for major, forest-wide changes in conditions.

For example, if a new powerline is proposed to be built across a forest, any modification of the applicable forest plan to permit the line to be built would be accomplished by an amendment, not a revision, and therefore the wilderness option would not have to be reexamined. It is only when a proposed change in management would significantly affect overall goals or uses for the entire forest that revision would be made. An example of such a situation is the recent eruption of Mt. St. Helen. Because it affected so much of the land in the Gifford Pinchot National Forest, including the forest's overall timber harvest schedule, the necessary changes in the applicable forest plan would likely be considered a revision of the plan. In this regard, the Committee notes that in the vast majority of cases the 10- to 15-year planning cycle established by the NFMA and in the existing regulations is short enough to accommodate most changes in circumstances without triggering more frequent plan "revisions". It is highly unlikely that conditions will change so dramatically during the 10- to 15-year planning cycle that anything more comprehensive than a plan amendment would be required.

It is not likely that primitive, semiprimitive, or motorized recreation use would change so rapidly over an entire national forest that the Forest Service or the Federal courts would be justified in concluding that the conditions in the forest are so significantly changed as to justify making a plan revision prior to the normal 10- to 15-year life span for the existing plan. For example, recreation use might increase in a specific area or areas resulting in changed conditions in the forest itself. In the judgment of the Forest Service, such changes could be met by amending the plan, as opposed to revising it. This is not to say that an increase in demand for recreation in a given area will automatically, in and of itself, constitute a valid requirement for even a plan amendment. In addition, it is not the Committee's intent, nor, in the judgment of the Committee, the intent of any Federal statute, to force the Forest Service into either plan amendments or revisions as a result of changes in use patterns in the national forests.

The Chief of the Forest Service has indicated that, in his view, most plans will be in existence for 10 years before they are revised. The Committee shares this view and anticipates that plans will not be revised in advance of their anticipated maximum life span absent extraordinary circumstances. The Committee understands and expects that the first generation plans will be completed by late 1985 in most cases and the time of revision for most plans will begin about 10 years from the date of implementation for each plan. Accordingly, the Committee expects that the wilderness option for any area will not be reexamined again until the plans have been in effect for 10 years, unless the area is specifically designated as a wilderness study area by Congress.

The Committee notes that administrative or judicial appeals may mean that some of the first generation plans will not actually be implemented until the late 1980's, and plan revisions would not take place until a 10-year period has elapsed from the date each plan is implemented. If the full 15 years allowed by NFMA elapses before a revision is made, the wilderness option may not in some cases be reviewed until the year 2000 or later.

The question has also arisen as to whether a revision would be triggered if the Forest Service is directed by the courts to modify or rework an initial plan, or if the Forest Service withdraws an initial plan to correct technical errors or to address issues raised by an administrative appeal. The Committee wants to make it as clear as possible that any reworking of an initial plan for such reasons would not constitute a revision of the plan and would not require the reconsideration of the wilderness option for the lands covered by the plan.

This position is based on the fact that court-ordered or administrative reworkings or modifications of a plan would most likely come about to resolve inadequacies in the preparation of the plan under the requirements of NFMA and other applicable laws. Since the NFMA, and the implementing regulations, specify that a plan revision will only occur when the Secretary finds that there has been a significant change in conditions in the forest planning unit, or at least once every 10 to 15 years, it is clear that such reworking or modification would not be a revision for at least two reasons: (1) the modification would not be the result of any significant change in conditions in the forest planning unit and (2) a plan must be properly prepared and implemented before it can be revised.

The fact that the wilderness option for roadless areas will be considered in the future during the planning process raises the hypothetical argument that areas not designated for wilderness must be managed to preserve their wilderness attributes so that they may be considered for such designation in the future. This interpretation, if accepted as correct, would result in all roadless areas being kept in the "de facto" wilderness status indefinitely. Such a requirement would be detrimental to the orderly management of nonwilderness lands and the goals of the Forest and Rangeland Renewable Resources Planning Act of 1974.

To eliminate any possible misunderstanding on this point, the bill provides that areas not designated as wilderness need not be managed for the purpose of protecting their suitability for future wilderness designation pending revision of the initial plans. The intent is that these lands be managed for multiple uses in accordance with the land management plan. However, the Georgia portion of the Big Frog Wilderness Study area will continue to be managed to maintain its wilderness character.

The Forest Service already has statutory authority to manage roadless areas for multiple uses other than wilderness. The Committee wishes to make clear, however, that study of the wilderness option in future generations of "section 6 plans is required only for those lands that may be suited for wilderness designation at the time of the development of such future plans. During the lifetime of each generation of plans, then, the forest land and other resources can, in fact, be put to the uses that are authorized in the plan. In short, one plan will remain in effect until the second plan is implemented, and the forest will be managed in accordance with the plan that is in effect, even if such management may result in the land no longer being suited for wilderness.

Thus, it is likely that areas evaluated for wilderness suitability in one generation of plans may not physically qualify for wilderness consideration by the time the next generation of plans is prepared. For example, the Committee notes that many areas that were studied for wilderness in the RARE II, recommended for nonwilderness, and released administratively in April of 1979, may no longer qualify as suitable wilderness study areas as a result of approved multiple-use activities having been carried out.

Under this provision, it is the Committee's intent and understanding that the Forest Service may conduct a timber sale in a roadless area being managed for multiple-use purposes other than wilderness and not be challenged on the basis that the area will be spoiled for consideration as wilderness in a future planning cycle. Once into a second-generation plan, the Forest Service may, of course, manage a roadless area according to that plan without the necessity of preserving the wilderness option for the third-generation planning process. Should the particular area still qualify for possible wilderness designation at the time of the third-generation planning process, which is likely in many cases, the wilderness option for the area would be considered at that time under the requirements of NFMA. In short, the wilderness option must be considered in each future planning generation for all of the areas in each planning unit that still possess the required wilderness attributes. There is no requirement, however, that these attributes be preserved for the purpose of maintaining the suitability of the affected areas for future evaluation as wilderness in the planning process.

In the Committee's judgment, the Forest Service is not required to manage multiple-use lands in a "de facto" wilderness manner. Of course, the Forest Service can, if it determines such action appropriate, manage lands to preserve their natural undeveloped characteristics if the applicable plan calls for such management. Likewise, the Forest Service can, if through the land management planning process it determines such action appropriate, provide for other multiple uses on lands that have not been designated as wilderness or as wilderness study areas by Congress. The Forest Service should be able to manage all nonwilderness lands in the manner determined appropriate through the land management planning process.

However, the bill also provides that lands recommended for wilderness designation in future generations of land management plans must be managed to protect their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by NFMA, and other applicable law.

In arriving at this position, the Committee has carefully considered and balanced the wishes and concerns of many varied interest groups involved in this issue, and wishes to emphasize the vital importance of completing and implementing the forest plans in Georgia and ending the state of uncertainty over appropriate land management that now exists in the national forests.

In order to eliminate the land management uncertainty with regard to as much of the National Forest System land in Georgia as possible, the bill provides that the release and sufficiency provisions of the bill also apply to National Forest System roadless lands in Georgia that are less than 5,000 acres in size.

NO FURTHER STATEWIDE WILERNESS REVIEW

With regard to the possibility of the Forest Service undertaking future administrative reviews similar to RARE I and RARE II, since the National Forest Management Act of 1976 planning process is now in place, the Committee wishes to see the development of any future wilderness recommendations by the Forest Service take place only through that planning process, unless Congress expressly asks for additional evaluations through authorizing legislation. Therefore, the bill prohibits the Department of Agriculture from conducting any further statewide roadless area review and evaluation of National Forest System lands in Georgia for the purpose of determining their suitability for inclusion in the National

Wilderness Preservation System. This provision does not prohibit the Forest Service from considering the wilderness option during a normal plan revision when the entire State is covered by a single plan.

COMMITTEE CONSIDERATION

HEARINGS

On Wednesday, July 25, 1984, the Subcommittee on Soil and Water Conservation, Forestry, and Environment, chaired by Senator Roger Jepsen, held a hearing on S. 2773, the Georgia Wilderness Act of 1984.

F. Dale Robertson, Associate Chief, Forest Service, testified for the Department of Agriculture. Mr. Robertson stated that currently, there are 5 wildernesses in Georgia totaling approximately 400,000 acres. S. 2773 would designate two wilderness additions on the Chattahoochee National Forest in Georgia. Approximately 2,000 acres would be added to the 7,000-acre Ellicott Rock Wilderness, and approximately 12,440 acres would be added to the 10,900-acre Southern Nantahala Wilderness.

Ellicott Rock Additions in Georgia, North Carolina, and South Carolina were recommended for wilderness in the roadless area review and evaluation (RARE II). The Southern Nantahala Area in Georgia and North Carolina was also recommended for wilderness in RARE II. The North Carolina portions of these areas have already been designated as wilderness and Mr. Robertson testified that the Department continues to support designation of the remaining Georgia and South Carolina portions of these areas.

Mr. Robertson stated that the Department supports enactment of S. 2773 if amended in several respects. He stated that the release language in the bill is similar to the recent Senate/House compromise, but needs some revision so that it is consistent with that compromise language.

With respect to the provision excluding certain areas from the release language of the bill and requiring that these areas be considered for all uses, including wilderness, during preparation of the forest plan for the Chattahoochee National Forest. Mr. Robertson stated that Raven Cliff, Brasstown, and Wolf Pen were recommended for wilderness in the RARE II final environmental impact statement and the Department sees little value in studying these areas further. Therefore, the Department recommends that S. 2773 designate those areas as wilderness.

He further stated the RARE II decision for Mountaintown was nonwilderness, and the Department recommends that it be deleted from the further planning areas listed in the bill and be released for uses other than wilderness.

Next to testify was a panel consisting of Mr. G. Robert Kerr, Executive Director, Georgia Conservancy; Mr. Randall Snodgrass, Southeastern Regional Director, The Wilderness Society; Mr. Steven Bowling, Botanical Consultant; and Ms. Andrea O. Timpone, President, Friends of the Mountains.

Mr. Kerr represented three coalitions interested in the bill: the Georgia Conservancy, the Southern Highlands Coalition, and the

Georgia RARE II Environmental Council. He stated their belief that the two areas, Southern Nantahala and Ellicott Rock Extension, belong in the wilderness system. He concured with the release language in the bill, but expressed concern with that portion of section 5 of the bill that remands 10 areas to the Forest Service management planning process for decisionmaking as to their wilderness suitability.

Mr. Kerr agreed with the Department of Agriculture that Congress must make the decision on wilderness and requested that section 5 of S. 2773 be amended to designate the 10 areas as wilderness study areas if Congress chooses not to designate the areas as wilderness. He also urged the Forest Service to manage these areas so as not to impair their wilderness values until Congress has an opportunity to act.

Mr. Snodgrass expressed support for S. 2773 and stated The Wilderness Society would like to see the 10 areas not released—Raven Cliff, Wolf Pen, Brasstown, Tray Mountain, Chattahoochee, Blood Mountain, Overflow, Mountaintown, Hemp Top, and Rich Mountain—protected in the near future. He said that until Congress can decide the fate of these areas, they should be protected as formal wilderness study areas.

Mr. Bowling testified to the scientific reasons and advantages for holding certain forest areas in an unmanaged state and discussed reasons for recommending that the proposed Geogia additions to the Southern Nantahala and Ellicott Rock Wildernesses be included in the National Wilderness Preservation System.

Ms. Timpone stated that she represented the mountain constituency in north Georgia that is in support of wilderness and expressed the support of this group from the bill. Ms. Timpone stated that wilderness designation is necessary to protect the land from irreversible changes, such as roadbuilding and logging, which will ensure that the areas will never again have the value of wilderness.

COMMITTEE MARKUP

The Committee met in open session on Thursday, September 13, 1984, to consider S. 2773.

In his opening statement, Chairman Helms noted that the Georgia wilderness bill was just one of six bills to be considered by the Committee that would add new areas to the National Wilderness Preservation System. Consideration of these bills, together with four wilderness bills considered by the Committee and signed into law earlier this year, indicates that the Committee takes seriously its responsibility to provide clear direction for forestry policy regarding wilderness and other matters. Chairman Helms noted that the preservation of these additional wilderness areas will leave a legacy that will provide unlimited opportunity for primitive recreation and enjoyment for those choosing to visit the areas.

Senator Huddleston questioned the Forest Service on their efforts to obtain the privately-held mineral rights on existing wilderness areas and whether the exercise of those rights is a growing problem. Douglas MacCleery, Deputy Assistant Secretary for Natural Resources and Environment of the Department of Agriculture, responded that since most of the national forest lands in the eastern United States were acquired from private owners who retained the subsurface mineral rights, it would be very expensive to acquire all of those rights, and the Forest Service does not buy those rights when it makes new acquisitions. The Forest Service deals with this issue on a case-by-case basis, and if a private owner elects to exercise his mineral rights, the Forest Service looks at the impact it might have on the wilderness value and makes a decision as how best to proceed. This factor is also taken into consideration when the Department makes recommendations on which areas are appropriate for wilderness designation.

After a brief explanation of the bill, Chairman Helms, on behalf of Senators Nunn and Mattingly, offered an amendment that would make technical and clerical changes in the bill and incorporate the compromise release language agreed to earlier this year. The amendment was adopted by voice vote.

By voice vote, the Committee ordered S. 2773 reported, as amended, with a recommendation that it pass.

SECTION-BY-SECTION ANALYSIS

Short title

Section 1 provides that the bill may be cited as the "Georgia Wilderness Act of 1984".

Designation of wilderness areas

Section 2 designates certain National Forest System lands in Georgia, totaling approximately 14,439 acres, as wilderness areas and as components of the National Wilderness Preservation System as follows:

(1) approximately 2,000 acres in the Chattahoochee National Forest, as generally depicted on a map entitled "Ellicott Rock Wilderness Addition—Proposed", dated June 1984, which are incorporated in and deemed to be part of the Ellicott Rock Wilderness as designated by the Eastern Wilderness Act (Public Law 93-622); and

(2) approximately 12,439 acres in the Chattahoochee National Forest, as generally depicted on a map entitled "Southern Nantahala Wilderness—Proposed", dated June 1984, which shall be known as the Southern Nantahala Wilderness.

Maps and descriptions

Section 3 provides that, as soon as practicable after enactment of the bill, the Secretary of Agriculture is required to file maps and legal descriptions of the areas designated as wilderness in the bill with the House Committees on Agriculture and on Interior and Insular Affairs and with the Senate Committee on Agriculture, Nutrition, and Forestry. In addition, this section provides that the maps and descriptions shall have the same force and effect as if included in the bill, except that correction of clerical and typographical errors may be made by the Secretary. The maps and descriptions must be on file and available for public inspection in the Office of the Chief of the Forest Service.

Administration of wilderness

Section 4 requires that, subject to valid existing rights, each of the areas designated as wilderness by the bill be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act, except that any reference in those provisions to the effective date of that Act would be deemed to be a reference to the date of enactment of the bill.

Effect of RARE II

Section 5(a) contains congressional findings to the effect that the Department of Agriculture has completed the second roadless area review and evaluation (RARE II) and that Congress has made its own evaluation of National Forest System roadless areas in Georgia, including reviewing the environmental impacts associated with alternative uses of these areas.

Section 5(b) provides that Congress determines and directs, with respect to the National Forest System lands in Georgia except lands specified in section 5(e), that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to National Forest System lands in States other than Georgia, such final environmental statement shall not be subject to judicial review;

(2) to the extent such lands were reviewed in the RARE II or otherwise referenced in subsection (d), the RARE II review and evaluation or reference shall be considered to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System for the purposes of the initial land management plans required by law. Also, the Department shall not be required to review the wilderness option for such lands prior to revision of the initial land management plans but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a 10-year cycle, or at least every 15 years, unless, prior to that time, the Secretary finds that conditions in a unit have significantly changed;

(3) to the extent such lands were reviewed in the RARE II final environmental statement, or otherwise referenced in the bill and not designated as wilderness, such nondesignated lands shall be managed for multiple-use purposes in accordance with section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, except that such lands need not be managed to protect their suitability for wilderness designation prior to or during revision of the initial land management plans;

(4) in the event that revised land management plans are implemented, areas not recommended for wilderness designation in any such revisions need not be managed to protect their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed to protect their suitability for wilderness designation as may be required by applicable law; and

(5) unless expressly authorized by Congress, the Department shall not conduct any additional statewide roadless area review and evaluation of such lands for the purpose of determining the suitability of any additional areas for inclusion in the National Wilderness Preservation System.

Section 5(c) provides that, as used in the bill and in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1984, as amended, the term "revision" does not include an "amendment" to a plan.

Section 5(d) provides that the release provisions of the section also apply to National Forest System roadless lands in Georgia that are less than 5,000 acres in size.

Section 5(e) provides that the provisions of section 5 shall not apply to—

(1) the Georgia portion of the Big Frog Wilderness Study Area as designated by Public Law 93-622; and

(2) the following areas in the Chattahoochee National Forest, Georgia, as generally depicted on a map entitled "Chattahoochee National Forest RARE II Inventory", dated June 1984, and which are know as—

(A) "Raven Cliff", comprising approximately nine thousand one hundred acres;

(B) "Overflow", comprising approximately five thousand acres;

(C) "Blood Mountain", comprising approximately nine thousand four hundred acres;

(D) "Chatahoochee River", comprising approximately twenty-one thousand six hundred acres;

(E) "Tray Mountain", comprising approximately thirty-six thousand six hundred acres;

(F) "Hemp Top", comprising approximately two thousand seven hundred acres;

(G) "Mountain Town", comprising approximately six thousand seven hundred acres;

(H) "Rich Mountain", comprising approximately fifteen thousand six hundred acres;

(I) "Brasstown", comprising approximately three thousand six hundred acres; and

(J) "Wolf Pen", comprising approximately seven thousand seven hundred acres.

These areas are to be considered for all uses, including wilderness, during preparation of a forest plan for the Chattahoochee National Forest pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended.

ADMINISTRATION VIEWS

On August 6, 1984, Chairman Helms received a report from Secretary of Agriculture John R. Block expressing the Department's support for the enactment of S. 2773 if amended as suggested in the report. This report, along with the portion of the July 25, 1984, testimony to the Subcommittee on Soil and Water Conservation, Forestry, and Environment presented by Mr. F. Dale Robertson, Associate Chief of the Forest Service, on S. 2773 follow:

Department of Agriculture,
Office of the Secretary,
Washington, DC, August 6, 1984.

Hon. Jesse Helms,
Chairman, Committee on Agriculture, Nutrition and Forestry,
U.S. Senate, Washington, DC.

Dear Mr. Chairman: We would like to offer our views on S. 2773, a bill "To designate certain National Forest System lands in the State of Georgia to the National Wilderness Preservation System, and for other purposes."

The Department of Agriculture recommends that the bill be enacted if amended as suggested herein.

S. 2773 would designate two wilderness additions on the Chattahoochee National Forest in Georgia. Approximately 2,000 acres would be added to the 7,000-acre Ellicott Rock Wilderness, and approximately 12,440 acres would be added to the 10,900-acre Southern Nantahala Wilderness.

Ellicott Rock Additions in Georgia, North Carolina, and South Carolina were recommended for wilderness in the Roadless Area Review and Evaluation (RARE II). The Southern Nantahala roadless area in Georgia and North Carolina was also recommended for wilderness in RARE II. The North Carolina portions of these areas have already been designated wilderness. We continue to support designation of the remaining undesignated Georgia and South Carolina portions of this area.

S. 2773 includes release language similar to the recent Senate/House compromise, but needs some revision so that it is consistent with that compromise language. The release provision also identifies specific areas that are excluded from the release. These areas are: the Georgia portion of the Big Frog wilderness study areas which is currently being proposed for wilderness designation in the "Tennessee Wilderness Act of 1984", Raven Cliff, Overflow, Blood Mountain, Chattahoochee River, Tray Mountain, Hemp Top, Mountaintown, Rich Mountain, Brasstown, and Wolf Pen. These areas would be further planning areas and be considered for all uses, including wilderness during preparation of the Forest plan for the Chattahoochee National Forest.

Three of these further planning areas—Raven Cliff, Brasstown and Wolf Pen—were recommended for wilderness in the RARE II Final Environmental Impact Statement. We see little value in studying these further. We recommend that S. 2773 designate these areas as wilderness.

The RARE II decision for Mountaintown was nonwilderness. This decision was made because of non-Federal mineral rights, existing system roads, a designated off-road vehicle trail, and wildlife openings that are part of the Cohutta Wildlife Management Area. We recommend that Mountaintown be deleted from the further planning areas listed in the bill and be released for uses other than wilderness.

In the case of *Southern Appalachian Multiple Use Council vs. Bergland*, decided in 1981 by the United States District Court for the Western District of North Carolina, the court held that when further planning areas east of the 100th meridian are studied as part of the land management planning process outlined in the National Forest Management Act, one of two broad decisions can be reached. The decision can be either to manage the area for multiple-use purposes other than wilderness or to recommend the area to Congress for designation as a wilderness study area.

There remains some question in this bill whether the Secretary of Agriculture can make a recommendation for wilderness rather than wilderness study to Congress as a result of the Forest plan. To clarify this question, we recommend that the last sentence of section 5.(e) be changed by deleting the period and adding the following clause at the end: "and the Secretary may forward a recommendation for wilderness designation to the Congress based on such plan."

With these amendments that would designate three additional areas, revise the release provision, release the Mountaintown area, and clarify section 5.(e), we support enactment of this bill.

We estimate that the costs of surveying, planning, and related activities necessary to implement the bill, if amended as we suggest, would be approximately $100,000 over the next 5 years.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

JOHN R. BLOCK,
Secretary.

STATEMENT OF F. DALE ROBERTSON, ASSOCIATE CHIEF, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Before the Subcommittee on Soil and Water Conservation, Forestry, and Environment of the Senate Committee on Agriculture, Nutrition and Forestry

Concerning S. 2773, S. 2805, H.R. 5121 and S. 2808, July 25, 1984

Mr. Chairman and members of the committee, it is a pleasure to join you here today as you consider several bills that would designate portions of the National Forests in Georgia, Mississippi, and Virginia as components of the National Wilderness Preservation System.

S. 2773—The "Georgia Wilderness Act of 1984"

Currently, there are five wildernesses in Georgia totaling approximately 400,000 acres.

S. 2773 would designate two wilderness additions on the Chattahoochee National Forest in Georgia. Approximately 2,000 acres would be added to the 7,000-acre Ellicott Rock Wilderness, and approximately 12,440 acres would be added to the 10,900-acre Southern Nantahala Wilderness.

The Department of Agriculture recommends enactment of S. 2773 if amended as described in my testimony.

Ellicott Rock Additions in Georgia, North Carolina and South Carolina were recommended for wilderness in the Roadless Area Review and Evaluation (RARE II).

The Southern Nantahala Area in Georgia and North Carolina was also recommended for wilderness in RARE II. The North Carolina portions of these areas have already been designated as wilderness. We continue to support designation of the remaining Georgia and South Carolina portions of this area.

S. 2773 includes release language similar to the recent Senate/House compromise, but needs some revision so that it is consistent with that compromise language. The release provision also identifies specific areas that are excluded from the release. These areas are: the Georgia portion of the Big Frog wilderness study area which is currently being proposed for wilderness designation in the "Tennessee Wilderness Act of 1984", Raven Cliff, Overflow, Blood Mountain, Chattahoochee River, Tray Mountain, Hemp Top, Mountaintown, Rich Mountain, Brasstown, and Wolf Pen. These areas would be further planning areas and be considered for all uses, including wilderness during preparation of the Forest plan for the Chattahoochee National Forest.

Three of these further planning areas—Raven Cliff, Brasstown and Wolf Pen—were recommended for wilderness in the RARE II Final Environmental Impact Statement. We see little value in studying these areas further. We recommend that S. 2773 designate these areas as wilderness.

The RARE II decision for Mountaintown was nonwilderness. This decision was made because of non-Federal mineral rights, existing system roads, a designated off-road vehicle trail, and wildlife openings that are part of the Cohutta Wildlife Management Area. We recommend that Mountaintown be deleted from the further planning areas listed in the bill and be released for uses other than wilderness.

In the case of *Southern Appalachian Multiple Use Council* vs. *Bergland*, decided in 1981 by the United States District Court for the Western District of North Carolina, the court held that when further planning areas east of the 100th meridian are studied as part of the land management planning process outlined in the National Forest Management Act, one of the two broad decisions can be reached. The decision can be either to manage the area for multiple use purposes other than wilderness or to recommend the area to Congress for designation as a wilderness study area.

There remains some question in this bill whether the Secretary of Agriculture can make a recommendation for wilderness rather than wilderness study to Congress as a result of the Forest plan. To clarify this question, we recommend that the last sentence of section 5.(e) be changed by deleting the period and adding the following clause at the end: "and the Secretary may forward a recommendation for wilderness designation to the Congress based on such plan."

COST ESTIMATE

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee estimates that the enactment of S. 2773 would result in a cost to the Federal Government of approximately $100,000 over the next 5 fiscal years. However, small savings in land management planning costs over the next 3 years will result from certain areas being released from further wilderness review during the period of the initial land management plans.

In accordance with the Congressional Budget Act of 1974, the Congressional Budget Office prepared the following cost estimate, which is consistent with the Committee's cost estimate:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 17, 1984.

Hon. JESSE A. HELMS,
Chairman, Committee on Agriculture, Nutrition and Forestry, U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 2773, the Georgia Wilderness Act of 1984, as ordered reported by the Senate Committee on Agriculture, Nutrition and Forestry, September 13, 1984.

This bill adds 14,439 acres of land in Georgia to the national wilderness preservation system. Based on information from the National Forest Service (NFS), we estimate that additional costs to the federal government for surveying, planning and related activities necessary to implement the wilderness withdrawals will be approximately $100,000 over the five fiscal years beginning with 1985.

All roadless areas in national forests not designated as wilderness or expressly excluded from further review by an act of the Congress are currently being reevaluated for their suitability for inclusion in the national wilderness preservation system. S. 2773 removes from this review all roadless areas in Georgia included in the Department of Agriculture's second Roadless Area Review and Evaluation (RARE II) during the period of the initial land management plan. This will result in a small savings in land management planning costs over the next three years.

Enactment of this bill would not significantly affect the budgets of state and local governments.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

ERIC HANUSHEK
(For Rudolph G. Penner, Director).

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2773. The bill would designate certain lands in the State of Georgia as components of the National Wilderness Preservation System.

The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

Subject to valid existing rights, the Wilderness Act prohibits future harvesting of timber and future entry for mineral extraction on lands included in the National Wilderness Preservation System. Enactment of the bill will result in approximately 14,439 acres being placed in the National Wilderness Preservation System, and, thereby, will restrict uses other than wilderness on such land.

Wilderness designation will result in restricting private individuals' motorized use of public lands. Activities which have previously occurred, such as firewood gathering, motorized access for hunting and fishing, and trail bike riding, will be terminated.

A wilderness permit may be required of individuals using certain wilderness areas and, therefore, limited personal information would be collected in administering the program. It is anticipated that the impact on personal privacy would be minimal.

The bill will not result in any significant additional paperwork or recordkeeping requirements.

Calendar No. 1193

98TH CONGRESS
2D SESSION

S. 2805

[Report No. 98–612]

To designate certain public lands in Virginia as additions to the National Wilderness Preservation System.

IN THE SENATE OF THE UNITED STATES

JUNE 27 (legislative day, JUNE 25), 1984

Mr. WARNER (for himself and Mr. TRIBLE) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

SEPTEMBER 18 (legislative day, SEPTEMBER 17), 1984

Reported by Mr. HELMS, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To designate certain public lands in Virginia as additions to the National Wilderness Preservation System.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, ~~That this Act may be entitled the "Virginia Wilderness Act of 1984."~~

~~DESIGNATION OF WILDERNESS AREAS~~

~~SEC. 2. In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131–1136), the following lands are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:~~

~~(1) certain lands in the Jefferson National Forest, Virginia, which comprise approximately six thousand three hundred and seventy-five acres, as generally depicted on a map entitled "Beartown Proposed Wilderness", dated 1984, and which shall be known as the Beartown Wilderness;~~

~~(2) certain lands in the Jefferson National Forest, Virginia, which comprise approximately five thousand five hundred and eighty acres, as generally depicted on a map entitled "Kimberling Creek", dated 1984, and which shall be known as the Kimberling Creek Wilderness;~~

~~(3) certain lands in the Jefferson National Forest, Virginia, which comprise approximately five thousand seven hundred and thirty acres, as generally depicted on a map entitled "Lewis Fork", dated 1984, and which shall be known as the Lewis Fork Wilderness;~~

~~(4) certain lands in the Jefferson National Forest, Virginia, which comprise approximately three thousand four hundred acres, as generally depicted on a map en-~~

~~titled "Little Dry Run", dated 1984, and which shall be known as the Little Dry Run Wilderness;~~

~~(5) certain lands in the Jefferson National Forest, Virginia, which comprise approximately three thousand eight hundred and fifty-five acres, as generally depicted on a map entitled "Little Wilson Creek", dated 1984, and which shall be known as the Little Wilson Creek Wilderness;~~

~~(6) certain lands in the Jefferson National Forest, Virginia, which comprise approximately eight thousand two hundred and fifty-three acres, as generally depicted on a map entitled "Mountain Lake Proposed Wilderness", dated May 1, 1982, and which shall be known as the Mountain Lake Wilderness;~~

~~(7) certain lands in the Jefferson National Forest, Virginia, which comprise approximately three thousand three hundred and twenty-six acres, as generally depicted on a map entitled "Peters Mountain", dated 1984, and which shall be known as the Peters Mountain Wilderness;~~

~~(8) certain lands in the Jefferson National Forest, Virginia, which comprise approximately two thousand four hundred and fifty acres, as generally depicted on a map entitled "Thunder Ridge", dated 1984, and which shall be known as the Thunder Ridge Wilderness;~~

~~(9) certain lands in the Jefferson National Forest, Virginia, which comprise approximately two hundred acres, as generally depicted on a map entitled "James River Face Wilderness Addition", dated 1984, and which are hereby incorporated in, and shall be deemed to be a part of, the James River Face Wilderness as designated by Public Law 93-622;~~

~~(10) certain lands in the George Washington National Forest, Virginia, which comprise approximately six thousand seven hundred and twenty-five acres, as generally depicted on a map entitled "Ramseys Draft", dated 1984, and which shall be known as the Ramseys Draft Wilderness; and~~

~~(11) certain lands in the George Washington National Forest, Virginia, which comprise approximately ten thousand and ninety acres, as generally depicted on a map entitled "Saint Mary's", dated 1984, and which shall be known as the Saint Mary's Wilderness.~~

~~MAPS AND DESCRIPTIONS~~

~~SEC. 3. As soon as practicable after enactment of this Act, the Secretary of Agriculture shall file a map and a legal description of each wilderness area designated by this Act with the Committee on Interior and Insular Affairs and the Committee on Agriculture of the House of Representatives and with the Committee on Agriculture, Nutrition, and For-~~

~~estry of the United States Senate. Each such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in each such map and legal description may be made by the Secretary of Agriculture. Each such map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.~~

~~ADMINISTRATION OF WILDERNESS~~

~~SEC. 4. Subject to valid existing rights, the wilderness areas designated by this Act shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.~~

~~EFFECTS OF RARE II~~

~~SEC. 5. (a) The Congress finds that—~~

~~(1) the Department of Agriculture has completed the second Roadless Area Review and Evaluation program (RARE II); and~~

~~(2) the Congress has made its own review and examination of National Forest System roadless areas in the State of Virginia and of the environmental impacts associated with alternative allocations of such areas.~~

~~(b) On the basis of such review, the Congress hereby determines and directs that—~~

~~(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to National Forest System lands in States other than Virginia, such statement shall not be subject to judicial review with respect to National Forest System lands in the State of Virginia;~~

~~(2) with respect to the National Forest System lands in the State of Virginia which were reviewed by the Department of Agriculture in the second Roadless Area Review and Evaluation (RARE II) and those lands referred to in subsection (d), except those lands designated for wilderness study upon enactment of this Act, that review and evaluation or reference shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall~~

~~review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless, prior to such time, the Secretary of Agriculture finds that conditions in a unit have significantly changed;~~

~~(3) areas in the State of Virginia reviewed in such final environmental statement or referenced in subsection (d) and not designated as wilderness or for wilderness study upon enactment of this Act shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976: *Provided,* That such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the initial land management plans;~~

~~(4) in the event that revised land management plans in the State of Virginia are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness desig-~~

~~nation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law; and~~

~~(5) unless expressly authorized by the Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Virginia for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.~~

~~(c) As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term "revision" shall not include an "amendment" to a plan.~~

~~(d) The provisions of this section shall also apply to National Forest System roadless lands in the State of Virginia which are less than five thousand acres in size.~~

~~DESIGNATION OF WILDERNESS STUDY AREAS~~

~~SEC. 6. (a) In furtherance of the purposes of the Wilderness Act, the Secretary of Agriculture shall review, as to~~

~~their suitability for preservation as wilderness, the following lands in the State of Virginia:~~

~~(1) certain lands in the George Washington National Forest, which comprise approximately nine thousand three hundred acres, as generally depicted on a map entitled "Rough Mountain and Rich Hole", dated 1984, and which shall be known as the Rough Mountain Wilderness Study Area;~~

~~(2) certain lands in the George Washington National Forest, which comprise approximately five thousand six hundred acres, as generally depicted on a map entitled "Rough Mountain and Rich Hole", dated 1984, and which shall be known as the Rich Hole Wilderness Study Area;~~

~~(3) certain lands in the Jefferson National Forest, which comprise approximately five thousand eight hundred and seventy-five acres, as generally depicted on a map entitled "Barbours Creek", dated 1984, and which shall be known as the Barbours Creek Wilderness Study Area; and~~

~~(4) certain lands in the Jefferson National Forest, which comprise approximately four thousand three hundred acres, as generally depicted on a map entitled "Shawvers Run", dated 1984, and which shall be known as the Shawvers Run Wilderness Study Area.~~

~~(b) In carrying out the review required under this section, the Secretary shall give public notice at least sixty days in advance of any hearing or other public meeting concerning a study area.~~

~~(c) Subject to valid existing rights, the wilderness study areas designated by this section shall, until Congress determines otherwise, be administered by the Secretary so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System.~~

~~(d) The Forest Service, in consultation with the Environmental Protection Agency and the State of Virginia, shall evaluate and report to Congress no later than two years after the date of enactment of this Act on the effects on air quality of the proposed industrial development site at Covington, Virginia, on the areas designated as wilderness study by this Act. The Forest Service shall provide interim reports annually to the appropriate committees of Congress.~~

~~SEC. 7. Congress does not intend that designation of wilderness areas in the State of Virginia lead to the creation of protective perimeters or buffer zones around each wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within the wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.~~

That this Act may be cited the "Virginia Wilderness Act of 1984."

DESIGNATION OF WILDERNESS AREAS

SEC. 2. In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131–1136), the following lands in the State of Virginia are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(1) certain lands in the Jefferson National Forest, Virginia, which comprise approximately six thousand three hundred and seventy-five acres, as generally depicted on a map entitled "Beartown Wilderness—Proposed", dated February 1984, and which shall be known as the Beartown Wilderness;

(2) certain lands in the Jefferson National Forest, Virginia, which comprise approximately five thousand five hundred and eighty acres, as generally depicted on a map entitled "Kimberling Creek Wilderness—Proposed", dated 1984, and which shall be known as the Kimberling Creek Wilderness;

(3) certain lands in the Jefferson National Forest, Virginia, which comprise approximately five thousand seven hundred and thirty acres, as generally depicted on a map entitled "Lewis Fork Wilderness—Pro-

posed", dated February 1984, and which shall be known as the Lewis Fork Wilderness;

(4) certain lands in the Jefferson National Forest, Virginia, which comprise approximately three thousand four hundred acres, as generally depicted on a map entitled "Little Dry Run Wilderness—Proposed", dated February 1984, and which shall be known as the Little Dry Run Wilderness;

(5) certain lands in the Jefferson National Forest, Virginia, which comprise approximately three thousand eight hundred and fifty-five acres, as generally depicted on a map entitled "Little Wilson Creek Wilderness—Proposed", dated February 1984, and which shall be known as the Little Wilson Creek Wilderness;

(6) certain lands in the Jefferson National Forest, Virginia, which comprise approximately eight thousand two hundred and fifty-three acres, as generally depicted on a map entitled "Mountain Lake Wilderness—Proposed", dated February 1984, and which shall be known as the Mountain Lake Wilderness;

(7) certain lands in the Jefferson National Forest, Virginia, which comprise approximately three thousand three hundred and twenty-six acres, as generally depicted on a map entitled "Peters Mountain Wilder-

ness—Proposed", dated February 1984, and which shall be known as the Peters Mountain Wilderness;

(8) certain lands in the Jefferson National Forest, Virginia, which comprise approximately two thousand four hundred and fifty acres, as generally depicted on a map entitled "Thunder Ridge Wilderness—Proposed", dated February 1984, and which shall be known as the Thunder Ridge Wilderness;

(9) certain lands in the Jefferson National Forest, Virginia, which comprise approximately two hundred acres, as generally depicted on a map entitled "James River Face Wilderness Addition—Proposed", dated September 1984, and which are hereby incorporated in, and shall be deemed to be a part of, the James River Face Wilderness as designated by Public Law 93–622;

(10) certain lands in the George Washington National Forest, Virginia, which comprise approximately six thousand seven hundred and twenty-five acres, as generally depicted on a map entitled "Ramseys Draft Wilderness—Proposed", dated January 1984, and which shall be known as the Ramseys Draft Wilderness; and

(11) certain lands in the George Washington National Forest, Virginia, which comprise approximately

ten thousand and ninety acres, as generally depicted on a map entitled "Saint Mary's Wilderness—Proposed", dated January 1984, and which shall be known as the Saint Mary's Wilderness.

MAPS AND DESCRIPTIONS

SEC. 3. As soon as practicable after enactment of this Act, the Secretary of Agriculture shall file a map and a legal description of each wilderness area designated by this Act with the Committee on Interior and Insular Affairs and the Committee on Agriculture of the United States House of Representatives and with the Committee on Agriculture, Nutrition, and Forestry of the United States Senate. Each such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in each such map and description may be made by the Secretary. Each such map and description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

ADMINISTRATION OF WILDERNESS

SEC. 4. Subject to valid existing rights, each wilderness area designated by this Act shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the *effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.*

EFFECTS OF RARE II

SEC. 5. (a) The Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and

(2) the Congress has made its own review and examination of National Forest System roadless areas in the State of Virginia and of the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to National Forest System lands in States other than Virginia, such statement shall not be subject to judicial review with respect to National Forest System lands in the State of Virginia;

(2) with respect to the National Forest System lands in the State of Virginia which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II) and those lands referred to in subsection (d), except those lands designated for wilderness study upon enactment of this

Act, that review and evaluation or reference shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless, prior to such time, the Secretary of Agriculture finds that conditions in a unit have significantly changed;

(3) areas in the State of Virginia reviewed in such final environmental statement or referenced in subsection (d) and not designated as wilderness or for wilderness study upon enactment of this Act shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976: Provided, That such areas need not be managed for the purpose of protecting their suitability

for wilderness designation prior to or during revision of the initial land management plans;

(4) in the event that revised land management plans in the State of Virginia are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law; and

(5) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Virginia for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(c) As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term "revision" shall not include an "amendment" to a plan.

(d) The provisions of this section shall also apply to National Forest System roadless lands in the State of Virginia which are less than five thousand acres in size.

DESIGNATION OF WILDERNESS STUDY AREAS

SEC. 6. (a) In furtherance of the purposes of the Wilderness Act, the Secretary of Agriculture shall review, as to their suitability for preservation as wilderness, the following lands in the State of Virginia:

(1) certain lands in the George Washington National Forest, which comprise approximately nine thousand three hundred acres, as generally depicted on a map entitled "Rough Mountain Wilderness Study Area—Proposed", dated 1984, and which shall be known as the Rough Mountain Wilderness Study Area;

(2) certain lands in the George Washington National Forest, which comprise approximately five thousand six hundred acres, as generally depicted on a map entitled "Rich Hole Wilderness Study Area—Proposed", dated January 1984, and which shall be known as the Rich Hole Wilderness Study Area;

(3) certain lands in the Jefferson National Forest, which comprise approximately five thousand eight hundred and seventy-five acres, as generally depicted on a map entitled "Barbours Creek Wilderness Study Area—Proposed", dated February 1984, and which shall be known as the Barbours Creek Wilderness Study Area; and

(4) certain lands in the Jefferson National Forest, which comprise approximately four thousand three hundred acres, as generally depicted on a map entitled "Shawvers Run Wilderness Study Area—Proposed", dated February 1984, and which shall be known as the Shawvers Run Wilderness Study Area.

(b) In carrying out the review required under this section, the Secretary shall give public notice at least sixty days in advance of any hearing or other public meeting concerning a study area.

(c) Subject to valid existing rights, the wilderness study areas designated by this section shall, until Congress determines otherwise, be administered by the Secretary so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System.

(d) The Secretary, in consultation with the Environmental Protection Agency and the State of Virginia, shall

evaluate and report to Congress no later than two years after the date of enactment of this Act on the effects of the proposed industrial development site at Covington, Virginia, on air quality on the areas designated for wilderness study by this Act. The Secretary shall provide an interim report to the appropriate committees of Congress no later than one year after the date of enactment of this Act.

BUFFER ZONES

SEC. 7. Congress does not intend that designation of wilderness areas in the State of Virginia lead to the creation of protective perimeters or buffer zones around each wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within the wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

Calendar No. 1193

98TH CONGRESS
2d Session

SENATE

REPORT
98-612

VIRGINIA WILDERNESS ACT OF 1984

SEPTEMBER 18 (legislative day, SEPTEMBER 17), 1984.—Ordered to be printed

Mr. HELMS, from the Committee on Agriculture, Nutrition, and Forestry, submitted the following

REPORT

[To accompany S. 2805]

The Committee on Agriculture, Nutrition, and Forestry, to which was referred the bill (S. 2805) to designate certain public lands in Virginia as additions to the National Wilderness Preservation System, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

SHORT EXPLANATION

The bill, as reported by the Committee, would designate 11 areas (totaling approximately 55,984 acres) in the national forests in the State of Virginia as wilderness areas and as components of the National Wilderness Preservation System. The bill provides for the Secretary of Agriculture to administer the areas designated as wilderness by the bill in accordance with the provisions of the Wilderness Act, to promptly file maps and legal descriptions of the designated areas with appropriate committees of Congress, and to make the maps and descriptions available for public inspection.

Further, the bill contains language to ensure that National Forest System lands in the State of Virginia that were studied in the Department of Agriculture's second roadless area review and evaluation and not designated as wilderness or for wilderness study by the bill are released for such uses as are deemed appropriate through the national forest management planning process. The bill also prohibits, unless expressly authorized by Congress, any further statewide roadless area review and evaluation of National Forest System lands in Virginia for purposes of considering the wilderness suitability of such lands.

The bill would also designate 4 areas (totaling approximately 25,075 acres) in the national forests in the State of Virginia as wilderness study areas. Until Congress determines otherwise, the Secretary would have to manage the wilderness study areas to preserve their presently existing wilderness characteristics.

COMMITTEE AMENDMENT

The Committee amendment to the bill strikes all after the enacting clause and inserts in lieu thereof an amendment in the nature of a substitute that makes technical and clerical changes.

PURPOSE AND NEED FOR LEGISLATION

S. 2805 has as its purpose the designation of 10 new wilderness areas and the expansion of an existing wilderness area in the national forests in the State of Virginia. The legislation is the result of a review by the United States Department of Agriculture conducted during the period of 1977 through 1979 and termed the second roadless area review and evaluation (RARE II). That study examined the lands of the National Forest System nationwide and, through the final environmental impact statement issued by the Department of Agriculture in January 1979, recommended designation of certain of these lands as wilderness, including nine of the areas that would be designated by the bill.

The bill would also require the Secretary of Agriculture to review four other areas in the national forests in Virginia to determine their suitability for designation as wilderness.

The bill would also ensure that national forest lands not designated as wilderness or for wilderness study are released for such uses as are determined appropriate through the national forest land management planning process.

WILDERNESS DESIGNATIONS

The national forest lands that would be designated as wilderness by the bill total approximately 56,000 acres. They are located in the Jefferson National Forest and the George Washington National Forest. The areas to be designated as wilderness contain unique ecosystems and habitats, including stands of virgin timber, fast-running native trout streams, and high mountain bogs. More than 40 miles of the Appalachian Trail run through several of the areas.

Currently, there are only two wilderness areas in Virginia. One is located within the Shenandoah National Park and is administered by the National Park Service and the other, James River Face, is located in the Jefferson National Forest and is administered by the Forest Service.

All of the areas designated as wilderness would become part of the National Wilderness Preservation System. They would be managed by the Forest Service under provisions of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1131-1136).

A description of the wilderness proposals of the bill follows:

Beartown Wilderness

Due to the fact that it is one of the very wild and remote areas of Virginia, the proposed 6,375-acre wilderness provides excellent habitat for black bear, peregrine falcon and bald eagles. It is located in Tazewell County, some 80 miles west of Roanoke, and was recommended for wilderness by the Forest Service in RARE II. A 7-mile system of streams begins in a boggy area of beaver ponds which receives rainfall 200 days during an average year. Upper reaches of the streams are characterized by waterfalls, massive boulders and dense flora and contain three distinct types of vegetation: Southern Appalachian hardwoods, Northern hardwoods, and Canadian Alpine forest. Due to its diversity of terrain and vegetation, the area is popular for primitive recreation such as hunting. It also affords outstanding opportunities for scientific research and education. Three miles of the Appalachian Trail pass through this area.

Kimberling Creek Wilderness

This 5,580-acre area lies some 60 miles west of Roanoke and was also recommended for wilderness in RARE II. The terrain is rugged and largely comprises the North Fork of Kimberling Creek. Vegetation consists primarily of oak hardwood with hickory, white pine, and different yellow pine species scattered throughout. Access to the area is facilitated by old "wood roads" and trails which make it well suited for hiking and other primitive recreation uses.

Lewis Fork Wilderness

This 5,730-acre area covers the summit and northern and western flanks of Mt. Rogers whose elevation of 5,729 feet make it the highest peak in the State of Virginia. The area lies within the Mt. Rogers National Recreation Area and is traversed by some seven miles of the Appalachian Trail, making it heavily used for hiking and other primitive recreation. Native trout are found in the Lewis Fork drainage northeast of the summit and enhance fishing opportunities.

Elevations of the mountains in the area range from 3,000 feet to 5,729 feet at the top of Mt. Rogers. This provides excellent diversity of terrain (uncommon in most wilderness areas) as well as flora and fauna. Wildlife species abound, including the usual array of Appalachian mammals, large ravens, bald eagles, and bear. One of the southernmost Northern hardwood forests in the State is located here as well as an ecologically interesting spruce-fir forest on the summit of Mt. Rogers. The area was recommended for wilderness by the Forest Service in RARE II.

Little Dry Run Wilderness

This area comprising approximately 3,400 acres was recommended for wilderness by the Forest Service in RARE II and represents a mid-elevation pine-hardwood forest. It is located within the Mt. Rogers National Recreation Area and is popular for hunting and fishing. Wildlife species include deer, turkey, grouse, and brook trout.

Little Wilson Creek Wilderness

This 3,855-acre area lies only a few miles east of Mt. Rogers and the proposed Lewis Fork Wilderness and contains a portion of the Appalachian Trail. It is adjacent to Grayson Highlands State Park. Primitive recreation opportunities are excellent and access is facilitated by nearby Park roads. Horseback riding and family oriented recreation are especially suited to the gentler terrain of the area.

Due to excellent drainage, Little Wilson Creek has a native trout fishery and luxuriant growth of rhododendron and yellow birch along the creek bottom. Wildlife is abundant and consists of deer, turkey, grouse, ravens and occasionally eagles and bear. The area has been managed as de facto wilderness by the Forest Service for several years and was recommended by them for wilderness in RARE II.

Mountain Lake Wilderness

Located along the Virginia/West Virginia border, the 8,253-acre wilderness primarily consists of a highland plateau which sits squarely on the Eastern "Continental Divide", with some of its streams flowing into the Atlantic Ocean and others into the Gulf of Mexico. Because of its paramount natural values, this area was designated as a wilderness study area by Congress in 1975. The wilderness studies have been completed and wilderness designation is supported by the administration since there are only limited resource values that would be foregone by wilderness designations.

Due to its relatively large size and diverse natural values, this area would make an exceptionally significant addition to the wilderness system. Of primary importance are the area's ecological values which include superlative stands of virgin spruce and hemlock in the deep ravine of the War Branch Spur, an unusually large mountain bog called Big Soft Sleep or Big Good Bed because of the very soft, springy sphagnum moss growing in this particular area, and a mature hardwood forest with a lush fern, rhododendron and azalea undergrowth. Identifiable wildlife includes 45 species of mammals and 70 species of birds. Establishment of the wilderness will ensure that these values are permanently protected and that the long-term studies of the processes of nature, which are carried on by the University of Virginia through a research station located at the edge of the area, can continue without fear of disruption by the works of man.

In addition to its natural values, the area also represents outstanding opportunities for primitive recreation. The Appalachian Trail and several other hiking trails traverse the area and pass by numerous cliffs with several spectacular overlooks, particularly in the White Rocks portion along the State border. Other important uses are hunting, fishing, nature study, and primitive camping.

Peters Mountain Wilderness

This proposed wilderness containing 3,326 acres was also designated a wilderness study area by the Eastern Wilderness Act in 1975 and was recommended for wilderness by the Forest Service in RARE II. The area has elevations ranging from 2,000 to 3,956 feet and is covered by upland oak, primarily chestnut oak. Yellow poplar, red oak, and hickory are found in the coves. The undergrowth is very open, but blueberry, mountain laurel, and greenbriar exist throughout. Blackberry is abundant in the upper elevations. A special feature is the high mountain bog at the head of Pine Branch Swamp—a swale distinguished by its dense patches of cinnamon fern, beds of sphagnum moss, and the carnivorous sundew plant.

The crest of Peters Mountain has numerous sandstone outcroppings which afford rewarding views of the surrounding countryside. Recreational opportunities are similar to the other wilderness proposals and include a portion of the Appalachian Trail and Stony Brook, a popular trout stream.

Thunder Ridge Wilderness

This relatively small wilderness proposal, consisting of 2,450 acres, lies on the crest of the Blue Ridge, is directly adjacent to the Blue Ridge Parkway, and contains portions of the Appalachian Trail. It also lies adjacent to the James River Face Wilderness, and when combined with that area and its proposed additions will comprise a contiguous wilderness resource exceeding 11,000 acres. Easy access afforded by the Parkway creates heavy recreational use.

James River Face Wilderness Addition

The link between James River Face and Thunder Ridge will be completed by the addition of this 200 acres to the 8,800-acre existing wilderness. The area is traversed by the Appalachian Trail.

Ramseys Draft Wilderness

Ramseys Draft is a tumbling mountain trout stream with magnificent adjacent stands of virgin white pine, hemlock, and "cove" hardwoods such as sugar maple, beech, oak, and basswood. The proposed 6,725-acre wilderness comprises the entire upper watershed of Ramseys Draft and its primary tributary, Jetty's Run, and encompasses the wilderness study area designated by Congress in 1975. Elevations range from 2,400 feet to 4,282 feet atop Hardscrabble Knob. Several other high peaks are located within the area or on the surrounding ridges which form the wilderness boundary. One of the peaks, Freezeland Flat, has one of the few natural "balds" (high elevation open meadow) in this part of the Appalachians. Wildlife is abundant in the area, with bear being especially notable.

There is an excellent system of trails in this proposed wilderness affording access for hikers, hunters, fishermen and other recreational users. The trail leading up the stream bottom is especially rewarding as it provides an opportunity to observe first hand the virgin timber species and dense forest canopy. Since the 1940's the Augusta County Garden Club has maintained a short nature trail in this area, which is especially appealing to family hikers.

St. Mary's Wilderness

This proposed wilderness, consisting of 10,090 acres, will be the largest single national forest wilderness in the State. It is located 10 miles south of Staunton, adjacent to the Blue Ridge Parkway, and comprises the upper watershed of the St. Mary's River. This river is recognized throughout the State for its sparkling cascades and superb trout fishery and has been designated as a Scenic River by the State of Virginia. Mixed hardwoods characterize the forest land, but are broken by occasional fallen rock slopes emanating from the numerous rugged cliffs in the area.

Access to the area for primitive recreation is easy because of nearby roads, especially the Blue Ridge Parkway on the south. Interconnecting trails within and adjacent to the area enhance recreation values. Unlike much of the rest of the western slope of the Blue Ridge Mountains, the St. Mary's watershed comprises relatively gentle terrain, which is ideal for family-oriented, primitive recreation. A series of five separate free-standing mountain peaks within this area also makes for great diversity of terrain and gives recreation users a sense of spaciousness exceeding that found in most drainages.

DESIGNATION OF WILDERNESS STUDY AREAS

The 4 areas to be designated for wilderness study comprise approximately 25,075 acres. Two of the areas are located in the Jefferson National Forest and two in the George Washington National Forest. The bill requires that the Secretary of Agriculture give the public at least 60 days notice in advance of any hearing or other public meeting concerning any study area. The bill also requires these areas to be managed so as to preserve their existing wilderness characteristics during the period they are being studied and until Congress acts to designate them as wilderness areas or releases them for nonwilderness uses.

The Committee notes that designation by Congress of wilderness study areas in the Eastern United States is necessary as a result of the decision in the case of *Southern Appalachian Multiple Use Council* v. *Bergland* (No. A–C–80–1, W.D.N.C.). In that case, the U.S. District Court for the Western District of North Carolina held that the Eastern Wilderness Act did not give the Department of Agriculture authority to designate wilderness study areas, only to recommend such designation to Congress.

A description of the wilderness study proposals of the bill follows:

Rough Mountain Wilderness Study Area

This area consisting of 9,300 acres was recommended for wilderness in RARE II and is characterized by rugged terrain and conspicuous rock escarpments. Bordering roads facilitate access to the area and provide jump-off points for primitive recreation users. Vegetation consists of upland oaks with pitch and Table Mountain pine on the poorer sites. The area has small commercial value because of its ruggedness and poor quality timber.

The Committee has agreed to the Virginia delegation's request to defer wilderness consideration of this area while further studies are made to ensure that wilderness designation and attendant air quality standards will not impair expansion of an industrial facility at Covington. This air quality issues is discussed later in this report.

Rich Hole Wilderness Study Area

Also recommended for wilderness in RARE II, this 5,600-acre area has outstanding stands of virgin timber, including trees up to six feet in diameter and over 200 years old. The area includes the upper watersheds of North Branch and Alum Creeks and Brushy Mountain. Brushy Mountain is double crested in its central portion, the crests being separated by "holes" up to 500 feet deep which drain along cascades through gorges down to the main creeks. Giant hemlocks are found in abundance along the cascades and creeks and contribute to the area's overall primeval nature. A popular hiking trail runs through the center of the area, and a portion of the area is listed on the National Registry of Natural Landmarks.

The Committee has agreed to the wilderness study designation in deference to the Virginia delegation's request for more time to evaluate the implication of wilderness designation and air quality on an industrial facility in Covington, some 20 miles away.

Barbours Creek Wilderness Study Area

This tract which lies approximately 20 miles southwest of Covington and contains 5,875 acres is another area deferred for wilderness/air quality reasons. Barbours Creek and its tributary, Lipes Branch, are popular fishing streams, the latter having native trout. Black bear can be found in the upper reaches and wild turkey in the lower portions.

Shawvers Run Wilderness Study Area

Final wilderness action on this 3,400-acre area has also been deferred pending additional wilderness/air quality evaluation. Like the adjacent Barbours Creek Study area, of which it was previously a part, the area is highly valued for primitive recreation by local residents and offers excellent fishing opportunities. Both Valley Branch and Shawvers Run itself are native trout streams. The area is covered by a hardwood forest with large areas of mountain laurel, and its proximity to Roanoke would afford residents of that growing area a nearby wilderness experience.

AIR QUALITY

Industry and local governments in southwestern Virginia are concerned that the wilderness designations may result in more stringent air quality standards and, therefore, could curtail economic growth.

The Committee does not agree that there is a direct correlation between areas' inclusion in the National Wilderness Preservation System and more stringent air quality standards for the following reasons:

> In 1977, Congress passed amendments to the Clean Air Act (P.L. 95-95) which established the prevention of significant deterioration program for areas with air cleaner than the national ambient air standards. The program included three classes of allowable emission increases for sulfur dioxide (SO_2) and particulates (TSP). Class I is approximately 10 to 20 times more stringent than Class II. The 1977 amendments also designated

> all areas, with certain exceptions such as wilderness areas over 5,000 acres, as Class II. All additions to the National Wilderness Preservation System since that time have been Class II. Under the present law, only the Governors of the States have the authority to upgrade or downgrade areas within the three air quality classes.
>
> Neither Congress nor any State has ever exercised its authority to upgrade wilderness areas to Class I from Class II. Further, a review of the number of Class II existing wilderness areas reveals that there are at least 14 communities located in 8 States that have wilderness areas within 20 miles of their borders. Some are large cities, i.e., Albuquerque, New Mexico; Salt Lake City, Utah; and Tucson, Arizona. The number of Class II wilderness sites now in existence is much larger than in 1977, and the number is increasing rapidly as new wilderness bills are enacted. As a result, any attempt by a future Governor or Congress to upgrade Class II wilderness sites to Class I would be met with formidable local opposition and prospects of such an upgrade would be remote.
>
> There is no local or national impetus to redesignate these areas as Class I. All Virginia elected officials as well as major environmental organizations agree that such a redesignation would be undesirable.

For these reasons the Committee believes it unlikely that redesignations of Class II to Class I for the Virginia wilderness areas will ever occur. Nevertheless, at the request of Senators John Warner and Paul Trible, and in order to be as responsive as possible to industry concerns, the Committee has designated four sites in the vicinity of the Covington, Virginia, Westvaco paper mill for wilderness study rather than as permanent wilderness. These are Barbours Creek, Shawvers Run, Rough Mountain, and Rich Hole.

The Westvaco Corporation's Bleached Board Division is presently involved in a major expansion program. The Covington plant may be the major beneficiary of this expansion. The Corporation has expressed its concern that possible increased sulfer dioxide emissions from the expanded facility might impact on wilderness areas as much as 50 miles from the plant, should the areas ever be redesignated Class I from the present Class II. Westvaco has indicated that Class II increments present no problem to expansion plans or current emissions.

To analyze this situation adequately, the bill requires the Forest Service, in consultation with the Environmental Protection Agency and the State of Virginia, to conduct a field study on the impact of increased emissions on the wilderness study areas. The Committee also hopes that Westvaco will cooperate to its fullest in this analysis.

The proposed expansion of Westvaco's Covington plant will require the collection of Covington meteorological data and the development of a computer model that will predict, among other things, the direction in which their stack emissions will be carried and the concentration levels of its air pollutants.

Once their meteorological data and air modeling work have been approved by the Virginia Air Pollution Board, the Forest Service, in consultation with the Environmental Protection Agency and the

State of Virginia, shall review this information, modify the model where necessary, and use it to predict the air pollution concentration levels expected to be induced in each of the four proposed study sites.

Using appropriate existing data from other sites or by partial surveys of the actual sites, the Forest Service shall establish air quality related values and sensitivities that are representative of the four sites involved.

Based on this information, the Forest Service shall determine whether or not the emissions sources at Covington will be harmful to any of the study sites or in violation of a Class I air quality standard.

In addition, the Forest Service shall determine what Covington level of emission corresponds to the threshold of unacceptability at these sites; and, secondly, whether or not the threshold values will be in violation of Covington's close-in Class II air quality standards.

Based on this analysis, the Forest Service shall identify what limitations the four proposed sites would impose on Covington's future economic growth should they ever be elevated to a Class I air quality level.

The Committee believes, with the addition of this comprehensive study, that the legitimate concerns of industry in southwestern Virginia will be met in the provisions of S. 2805.

BUFFER ZONES

The bill contains a provision that would make it clear that Congress does not intend that the designation of wilderness areas in Virginia will lead to the creation of protective perimeters or buffer zones around such wilderness areas. The fact that nonwilderness activities or uses can be seen or heard from wilderness areas is not to preclude such activities or uses up to the boundary of the wilderness area.

APPALACHIAN TRAIL

As is noted previously in this Report, many of the wilderness proposals of the bill are traversed by portions of the Appalachian Trail. In designating the wilderness areas in the bill, the Committee believes that the Trail (and other trails) and its related structures represent a desirable existing use which is deemed compatible with wilderness. Specifically, it is the intent of the Committee that the Forest Service should continue traditional management practices for this use, including trail marking and footpath maintenance. Structure (shelter) maintenance may also be permitted and desirable for the protection of the wilderness and health and safety of persons within the area. Management decisions in this regard should be developed in consultation and coordination with the Appalachian Trail Conference and other interested organizations and individuals.

SUFFICIENCY AND RELEASE LANGUAGE

Background

In 1924, when the U.S. Forest Service decided it should manage wilderness as one of the many uses to be made of the National Forest System, it established the Gila Wilderness Reserve in the Gila National Forest in New Mexico. The purpose was to keep some parts of the Nation's forests in the condition in which mankind had found them, both as scientific benchmarks against which civilization's works could be compared and as recreational refuges for people who wanted to temporarily get away from the stresses of civilization. During the next 40 years, the Forest Service administratively established more of these areas, mostly in the West, from which evidence of human technology and development are substantially excluded.

In 1964, this wildnerness concept became national policy when Congress passed the Wilderness Act and established the National Wilderness Preservation System. That System incorporated the 9.1 million acres that had been set aside by the Forest Service over the previous 4 decades. Generally, the Wilderness Act specifies that within wilderness areas there will be no roads, no timber harvesting, no structures or installations, and no use of motor boats or landing of aircraft. Each wilderness area was to be an area where man was a visitor who did not remain.

The Wilderness Act gave the Forest Service 10 years to complete studies of the national forest primitive areas—areas temporarily reserved from access pending study of their suitability for wilderness designation. In addition, Congress provided that no future wilderness could be created in the national forests, except by Act of Congress. However, Congress did not preclude the management of lands within the National Forest System for primitive, roadless recreation, within the concept of multiple-use management.

As the Forest Service began its review of primitive areas within the national forests in the late 1960's to determine the suitability for wilderness designation of specific tracts, a number of problems arose in connection with established timber management plans. In many forests, after new sales were advertised, administrative protests were filed, charging that a particular sale would violate the statutory concept of multiple use. Usually, the allegation was that the proposed sale was in an area that should be designated as wilderness or that should be devoted to unstructured recreation with no harvesting of timber. As timber sales became tied up in such appeals and the orderly management of the national forests disintegrated, the Forest Service instituted the first roadless area review and evaluation (RARE I) as the planning process to resolve the problem.

By 1973, RARE I had resulted in the selection of 274 wilderness study areas containing approximately 12.3 million acres. The other roadless areas in the RARE I inventory, having been considered and rejected for possible wilderness designation, were not protected as wilderness and remained in their full multiple-use status.

The National Environmental Policy Act (NEPA) became law on January 1, 1970. It required the Executive Branch, before making any major decision having a significant impact on the human environment, to prepare an assessment of the environmental impact of the proposed action. The NEPA was the basis of a lawsuit filed in 1972, as the RARE I process was nearing completion, that charged that the Forest Service must prepare environmental impact statements on roadless areas that were supposedly returned to multiple-use management. The Federal District Court for the Northern District of California agreed that the agency was subject to the decisionmaking process prescribed by NEPA, and all development activities on the roadless areas were stopped. See *Sierra Club* v. *Butz,* Civ. No. 72-1445-SC (N.D. Cal. 1972) 3 Environmental Law Reporter 20071.

As a result of restricted sources of timber supplies, tremendous pressures were placed on the remaining National Forest System lands that remained open to timber harvesting. In some forests, timber sale dropped dramatically below the allowable cuts. In other forests, timber sale levels were maintained, but sales were concentrated on lands outside the RARE I roadless areas. In these forests, the concentration of sales at the full sales volume on a limited area produced fears that these available areas would be overcut to the detriment of land and watersheds.

It was obvious that a remedy was needed for this situation, and the Forest Service decided that a faster planning process was the answer. Thus, the second roadless area review and evaluation (RARE II) was formulated to expedite the planning process for roadless areas. RARE II began in June 1977 and was intended to survey the roadless and undeveloped areas within the National Forest System and to distinguish areas suitable for wilderness designation from those most appropriate for other uses. The areas found suitable for wilderness would be recommended for addition to the National Wilderness Preservation System through congressional action. The remaining roadless lands would be allocated to nonwilderness uses determined under the multiple-use planning process, or allocated to further study.

On April 16, 1979, President Carter made final recommendations to Congress basd on the review of 2,919 identified roadless areas encompassing 62 million acres in the National Forest System. The Administration recommended that wilderness designation be given to approximately 15.1 million acres of the original 62-million acre roadless inventory. Another 10.8 million acres of roadless lands were determined to require further planning before decisions were made on their future management. The balance of the areas, which totaled about 36 million acres, were allotted to nonwilderness, multiple-use management.

Much litigation has occurred since the RARE II recommendations. This has had a direct bearing on congressional consideration of wilderness legislation. In June 1979, the State of California challenged the RARE II wilderness and nonwilderness allocations on National Forest System lands in that State. *California* v. *Bergland,* 483 F. Supp. 465 (E.D. Cal. 1980). The State and various environmental organizations which joined the lawsuit claimed that the RARE II final environmental impact statement was legally flawed. On January 8, 1980, the Federal district court agreed with the State's position, finding that the environmental statement for RARE II was deficient under the provisions of the National Environmental Policy Act. The Court ruled that a more site-specific analysis of wilderness qualities was required for 46 of the areas allocated for nonwilderness. Additionally, the Court found flaws in the RARE II analysis process. As a result, the Court enjoined any development in the 46 disputed areas, pending preparation of an adequate environmental impact statement. The major points of the district court ruling were affirmed by the Ninth Circuit Court of Appeals. *California* v. *Block*, 690 F. 2d 753 (9th Cir. 1982).

The ruling by the Court of Appeals that the RARE II environmental impact statement was deficient had a significant impact on Forest Service activities. Although the decision applied specifically only to the 46 roadless areas in California, it was binding on other Federal district courts in the Ninth Circuit (comprising the States of California, Oregon, Washington, Idaho, Montana, Nevada, Arizona, Alaska, and Hawaii) and could be cited in States outside the Ninth Circuit's jurisdiction. The reasoning of the decision produces uncertainty regarding the RARE II study for other States. Management of roadless areas not designated as wilderness is subject to challenge through administrative appeals and lawsuits. In fact, such challenges have occurred. There have been three lawsuits filed in the Northwest that rely extensively on *California* v. *Block*. In *Earth First* v. *Block* (Civil No. 83-6298-ME-RE, D. Oreg.), the United States District Court for the District of Oregon enjoined the Forest Service from taking or permitting any action which would be inconsistent with the wilderness character of a roadless area in Oregon until the requirements of *California* v. *Block* and the NEPA have been met. Similarly, in *Kettle Range Conservation Group* v. *Block* (Civil No. C-83-590-JLQ, E.D. Wash.), the Forest Service was enjoined from taking or permitting any action which will change the wilderness characteristics of four roadless areas in Washington. In December 1983, the Oregon Natural Resources Council brought suit against the Forest Service in an attempt to enjoin any activity which would impair the wilderness characteristics of approximately 2.25 million acres of roadless lands in Oregon until the requirements of NEPA have been met. That suit is pending. *Oregon Natural Resources Council* v. *Block*, Civil No. 83-1902, D. Oreg.

In February 1983, Assistant Secretary of Agriculture John B. Crowell, Jr., announced that all roadless areas studied for wilderness potential during RARE II would be subject to reevaluation. This reevaluation was to be done as a part of the National Forest System land management planning process then underway for 120 national forest planning units and scheduled for completion in 1985.

The desire to avoid further wilderness study and to preclude litigation directed at stopping the continuation of management activities on roadless areas led to a search for a legislative solution. Provisions termed "sufficiency" and "release" language were the outcome of that search. Such language has appeared in legislation designating wilderness areas in Colorado, New Mexico, Alaska, Missouri, West Virginia, and Indiana. That language, which was generally patterned after the Colorado wilderness bill, continued to trouble a number of affected industry groups, and in an effort to address their concerns, Congress developed and agreed on a new version of the so-called "release" language, which is included in the bill.

The status of National Forest Systems areas designated for further planning by RARE II and lying east of the 100th meridian was also placed in doubt by a case originating in North Carolina. The Eastern Wilderness Act designated certain National Forest System lands as wilderness and designated other lands as wilderness study areas. That Act directed the Secretary of Agriculture to review the study areas for their suitability or nonsuitability for wilderness designation and to make recommendations to the President, including recommendations for wilderness study areas. In *Southern Appalachian Multiple Use Control* v. *Bergland* (No. A–C–80–1, W.D. N.C.), a Federal district court ruled, in relying on the Eastern Wilderness Act, that the Secretary had no authority to administratively designate "further planning" areas (and thereby administratively withhold any management activities in the area pending the completion of the study and determination of the area's status), but only to recommend areas to be designated as wilderness study areas. The court also ruled that the Secretary could manage the areas recommended so as not to impair their suitability for wilderness, pending congressional action. The ruling had an effect on the land management planning process on eastern national forests (those affected by the provisions of the Eastern Wilderness Act) insofar as the evaluation of areas for wilderness suitability is concerned. Under the court's ruling, forest plans on national forests east of the 100th meridian cannot recommend areas for wilderness designation, rather they can only recommend to Congress that such areas be studied for their wilderness suitability.

Sufficiency and judicial review of the RARE II environmental statement

The bill contains language relating to the sufficiency of the RARE II final environmental impact statement. As previously discussed, the need for the language arises because of a Federal district court decision in *California* v. *Bergland, supra,* in which it was held that the RARE II environmental impact statement, as it applied to 46 areas considered for wilderness in California, had insufficiently considered the wilderness alternative for the areas. Activities that would impair the wilderness characteristics of the areas were enjoined until subsequent reconsideration of wilderness was completed. This action creates uncertainty over the management of some nonwilderness areas, where administrative or judicial appeals could halt some activities until adequate environmental impact statements are prepared. The Committee, in considering the bill, has reviewed the roadless areas in Virginia. It believes that the RARE II final environmental impact statement, insofar as National Forest System lands in Virginia are concerned, is sufficient, and, therefore, the bill provides that such environmental statement shall not be subject to judicial review.

Release, management, and future wilderness consideration of nonwilderness areas

The RARE II process during 1977 through 1979 took place concurrently with the development by the Forest Service of a new land management planning process mandated by the National Forest Management Act of 1976 (NFMA). That process requires the national forest land management plans to be reviewed and revised periodically to provide for a variety of uses on the land. During the review and revision process, the Forest Service is required to study a broad range of potential uses and options for each national forest. NFMA provides that the option of recommending land to Congress for inclusion in the National Wilderness Preservation System is only one of the many options that must be considered during the planning process for those lands which may be suited for wilderness designation. The Forest Service is presently developing the initial, or "first generation", plan for each national forest. These are the socalled "section 6" plans, and they are scheduled for completion by September 30, 1985. Upon implementation, these plans will be in effect for 10 to 15 years before being revised and updated.

One of the goals of RARE II was to consider the wilderness potential of National Forest System roadless areas. The Committee believes that, except as to those areas designated for wilderness study upon enactment of the bill, further consideration of the wilderness option during development of the initial plans for the National Forest System roadless areas in Virginia, as defined in section 5 of the bill, and during the period when the initial plan is in effect, would be duplicative of studies and reviews that have already been made by both the Forest Service and Congress. Therefore, the bill provides that the RARE II evaluation or the reference to certain other lands consitutes an adequate consideration of the suitability of these roadless areas for inclusion in the National Wilderness Preservation System and no further review by the Department of Agriculture shall be required prior to the revision of the initial land management plan for the national forest. This provision is necessary to ensure that these lands will be considered as functioning units of the national forests and has the practical effect of releasing these lands for multiple uses other than wilderness.

The NFMA provides that a national forest management plan shall be in effect for no longer than 15 years before it is revised. The Forest Service regulations, however, provide that a forest plan "shall ordinarily be revised on a 10-year cycle or at least every 15 years." (36 CFR 219.10(g)). The language of the bill tracks these regulations.

By tying future review of the wilderness option to revision of initial plans, the Committee intends to make it clear, consistent with the NFMA and current Forest Service regulations, that amendments to a plan, including those that might result in a significant change in a plan, would not trigger the need for reconsideration of the wilderness option. The wilderness option does not need to be reconsidered until the Forest Service determines (1) based on a review of the lands covered by a plan, that conditions in the area covered by a plan have changed so significantly that the entire plan needs to be completely revised, or (2) that the statutory 15-year maximum life span of the plan is expiring.

A revision of a forest plan is a costly undertaking in terms of dollars and manpower and the Committee does not expect such an effort to be undertaken lightly. When required by changing conditions, the Forest Service should make every effort to address local changes in land management plans through the amendment process, reserving the revision option only for major, forest-wide changes in conditions.

For example, if a new powerline is proposed to be built across a forest, any modification of the applicable forest plan to permit the line to be built would be accomplished by an amendment, not a revision, and therefore the wilderness option would not have to be reexamined. It is only when a proposed change in management would significantly affect overall goals or uses for the entire forest that a revision would be made. An example of such a situation is the recent eruption of Mt. St. Helens. Because it affected so much of the land in the Gifford Pinchot National Forest, including the forest's overall timber harvest schedule, the necessary changes in the applicable forest plan would likely be considered a revision of the plan. In this regard, the Committee notes that in the vast majority of cases the 10- to 15-year planning cycle established by the NFMA and in the existing regulations is short enough to accommodate most changes in circumstances without triggering more frequent plan "revisions". It is highly unlikely that conditions will change so dramatically during the 10- to 15-year planning cycle that anything more comprehensive than a plan amendment would be required.

It is not likely that primitive, semiprimitive, or motorized recreation use would change so rapidly over an entire national forest that the Forest Service or the Federal courts would be justified in concluding that the conditions in the forest are so significantly changed as to justify making a plan revision prior to the normal 10- to 15-year life span for the existing plan. For example, recreation use might increase in a specific area or areas resulting in changed conditions in the forest itself. In the judgment of the Forest Service, such changes could be met by amending the plan, as opposed to revising it. This is not to say that an increase in demand for recreation in a given area will automatically, in and of itself, constitute a valid requirement for even a plan amendment. In addition, it is not the Committee's intent, nor, in the judgment of the Committee, the intent of any Federal statute, to force the Forest Service into either plan amendments or revisions as a result of changes in use patterns in the national forests.

The Chief of the Forest Service has indicated that, in his view, most plans will be in existence for 10 years before they are revised. The Committee shares this view and anticipates that plans will not be revised in advance of their anticipated maximum life span absent extraordinary circumstances. The Committee understands and expects that the first generation plans will be completed by late 1985 in most cases and the time of revision for most plans will begin about 10 years from the date of implementation for each plan. Accordingly, the Committee expects that the wilderness option for any area will not be reexamined again until the plans have been in effect for 10 years, unless the area is specifically designated as a wilderness study area by Congress.

The Committee notes that administrative or judicial appeals may mean that some of the first generation plans will not actually be implemented until the late 1980's, and plan revisions would not take place until a 10-year period has elapsed from the date each plan is implemented. If the full 15 years allowed by NFMA elapses before a revision is made, the wilderness option may not in some cases be reviewed until the year 2000 or later.

The question has also arisen as to whether a revision would be triggered if the Forest Service is directed by the courts to modify or rework an initial plan, or if the Forest Service withdraws an initial plan to correct technical errors or to address issues raised by an administrative appeal. The Committee wants to make it as clear as possible that any reworking of an initial plan for such reasons would not constitute a revision of the plan and would not require the reconsideration of the wilderness option for the lands covered by the plan.

This position is based on the fact that court-ordered or administrative reworkings or modifications of a plan would most likely come about to resolve inadequacies in the preparation of the plan under the reguirements of NFMA and other applicable laws. Since the NFMA, and the implementing regulations, specify that a plan revision will only occur when the Secretary finds that there has been a significant change in conditions in the forest planning unit, or at least once every 10 to 15 years, it is clear that such reworking or modification would not be a revision for at least two reasons: (1) the modification would not be the result of any significant change in conditions in the forest planning unit and (2) a plan must be properly prepared and implemented before it can be revised.

The fact that the wilderness option for roadless areas will be considered in the future during the planning process raises the hypothetical argument that areas not designated for wilderness must be managed to preserve their wilderness attributes so that they may be considered for such designation in the future. This interpretation, if accepted as correct, would result in all roadless areas being kept in "de facto" wilderness status indefinitely. Such a requirement would be detrimental to the orderly management of nonwilderness lands and the goals of the Forest and Rangeland Renewable Resources Planning Act of 1974.

To eliminate any possible misunderstanding on this point, the bill provides that areas not designated as wilderness or for wilderness study need not be managed for the purpose of protecting their suitability for future wilderness designation pending revision of the initial plans. The intent is that these lands be managed for multiple uses in accordance with the land management plan.

The Forest Service already has statutory authority to manage roadless areas for multiple uses other than wilderness. The Committee wishes to make clear, however, that study of the wilderness option in future generations of "section 6" plans is required only for those lands that may be suited for wilderness designation at the time of the development of such future plans. During the lifetime of each generation of plans, then, the forest land and other resources can, in fact, be put to the uses that are authorized in the plan. In short, one plan will remain in effect until the second plan is implemented, and the forest will be managed in accordance with the plan that is in effect, even if such management may result in the land no longer being suited for wilderness.

Thus, it is likely that areas evaluated for wilderness suitability in one generation of plans may not physically qualify for wilderness consideration by the time the next generation of plans is prepared. For example, the Committee notes that many areas that were studied for wilderness in the RARE II, recommended for nonwilderness, and released administratively in April of 1979, may no longer qualify as suitable wilderness study areas as a result of approved multiple-use activities having been carried out.

Under this provision, it is the Committee's intent and understanding that the Forest Service may conduct a timber sale in a roadless area being managed for multiple-use purposes other than wilderness and not be challenged on the basis that the area will be spoiled for consideration as wilderness in a future planning cycle. Once into a second-generation plan, the Forest Service may, of course, manage a roadless area according to that plan without the necessity of preserving the wilderness option for the third-generation planning process. Should the particular area still qualify for possible wilderness designation at the time of the third-generation planning process, which is likely in many cases, the wilderness option for the area would be considered at that time under the requirements of NFMA. In short, the wilderness option must be considered in each future planning generation for all of the areas in each planning unit that still possess the required wilderness attributes. There is no requirement, however, that these attributes be preserved for the purpose of maintaining the suitability of the affected areas for future evaluation as wilderness in the planning process.

In the Committee's judgment, the Forest Service is not required to manage multiple-use lands in a "de facto" wilderness manner. Of course, the Forest Service can, if it determines such action appropriate, manage lands to preserve their natural undeveloped characteristics if the applicable plan calls for such management. Likewise, the Forest Service can, if through the land management planning process it determines such action appropriate, provide for other multiple uses on lands that have not been designated as wilderness or as wilderness study areas by Congress. The Forest Service should be able to manage all nonwilderness lands in the manner determined appropriate through the land management planning process.

However, the bill also provides that lands recommended for wilderness designation in future generations of land management plans must be managed to protest their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by NFMA, and other applicable law.

In arriving at this position, the Committee has carefully considered and balanced the wishes and concerns of many varied interest groups involved in this issue, and wishes to emphasize the vital importance of completing and implementing the forest plans in Virginia and ending the state of uncertainty over appropriate land management that now exists in the national forests.

In order to eliminate the land management uncertainty with regard to as much of the National Forest System land in Virginia as possible, the bill provides that the release and sufficiency provisions of the bill also apply to those National Forest System roadless areas in Virginia that are less than 5,000 acres in size.

The Committee notes that the designation of an area as wilderness in the bill satisfies the requirements for wilderness study as may be directed by the Eastern Wilderness Act. This would be the situation with regard to the Mountain Lake Wilderness, Peters Mountain Wilderness, and the Ramseys Draft Wilderness areas. Likewise, the requirement for wilderness study of the Mill Creek Wilderness Study Area as designated by the Eastern Wilderness Act would be satisfied by the bill and that area would be released for management in accordance with the appropriate land management plan since it is not designated as a wilderness of wilderness study area by the bill.

No further statewide wilderness review

With regard to the possibility of the Forest Service undertaking future administrative reviews similar to RARE I and RARE II, since the National Forest Management Act of 1976 planning process is now in place, the Committee wishes to see the development of any future wilderness recommendations by the Forest Service take place only through that planning process, unless Congress expressly asks for additional evaluations through authorizing legislation. Therefore, the bill prohibits the Department of Agriculture from conducting any further statewide roadless area review and evaluation of National Forest System lands in Virginia for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System. This provision does not prohibit the Forest Service from considering the wilderness option during a normal plan revision when the entire State is covered by a single plan.

COMMITTEE CONSIDERATION

HEARING

On Wednesday, July 25, 1984, the Subcommittee on Soil and Water Conservation, Forestry, and Environment, chaired by Senator Roger Jepsen, held a hearing on S. 2805 and the House companion, H.R. 5121, relating to the establishment of wilderness areas in Virginia.

In his opening remarks, Senator Jepsen said that he appreciates and respects the different points of view on the amount of land to be designated as wilderness in the various States and hopes the hearing will help resolve these issues. He also noted that compromise release language worked out between the Senate and House has enabled several wilderness bills to be signed into law.

Congressional witnesses from the State of Virginia were Senators John W. Warner and Paul S. Trible, Jr., and Representatives James R. Olin and Frederick C. Boucher of the Sixth and Ninth Districts, respectively.

Senators Warner and Trible, sponsors of S. 2805, both testified in favcr of the legislation saying it represented a balance between preserving portions of Virginia in their natural state and the need for economic development required by Virginia's citizens.

Congressmen Olin and Boucher testified in favor of the legislation and pointed out that S. 2805 contained basically identical language to the House-passed bill, H.R. 5121. With respect to the three significant differences between the bills, Messrs. Olin and Boucher expressed their support for the Senate provisions which would: (1) add 40 acres more than H.R. 5121 to the existing James River Face Wilderness Area; (2) clarify that Congress does not intend to create buffer zones around areas designated as wilderness; and (3) add a provision directing the Forest Service, in conjunction with the Environmental Protection Agency and the State of Virginia, to evaluate and report to Congress on the effects of the proposed industrial development site at Covington, Virginia, on air quality on the areas designated as wilderness study under the bill.

The members of the Virginia congressional delegation who testified before the subcommittee recommended S. 2805 and urged favorable consideration.

F. Dale Robertson, Associate Chief, Forest Service, testified for the Department of Agriculture. He pointed out the similarity in the bills except for the air quality study and buffer zone provisions in the Senate version.

Mr. Robertson stated that nine areas proposed for wilderness designated in S. 2805 and H.R. 5121 were recommended for wilderness in RARE II. The areas—Beartown, Little Dry Run, Lewis Fork, Little Wilson Creek, Kimberling Creek, Thunder Ridge, and Peters Mountain on the Jefferson National Forest; and Ramseys Draft and St. Marys on the George Washington National Forest—continue to be supported for wilderness designation by the Department of Agriculture. He said the tenth area proposed for wilderness, Mountain Lake, was recommended for further planning in RARE II. The Department can now support designation of the area as wilderness and further recommends that the 3,030 contiguous acres in West Virginia be included. The Department also favors adding a small amount of land, as proposed in the bills, to the James River Face Wilderness.

Mr. Robertson pointed out that the bills would designate four areas for wilderness study—Rough Mountain, Rich Hole, Barbours Creek, and Shawvers Run. The Department recommends that Rough Mountain and Rich Hole be designated as wilderness and Barbours Creek and Shawvers Run be released to users other than wilderness. He stated that all four areas have been adequately studied.

The Department also recommends that section 6(d) of S. 2805 relating to an air quality study be deleted. Mr. Robertson said the Department is opposed to spending taxpayers dollars to study the effects of a redesignation of an air quality class that is unlikely to occur.

Mr. Robertson pointed out that five areas—Dolly Ann, Ramseys Draft Addition, Southern Massanutten, Devils Fork, and Mill Creek—that are released for uses other than wilderness by the bills, were identified for further planing in RARE II. The Department recommends that specific language be added to rescind Mill Creek's Wilderness Study Area status, as designated by the Eastern Wilderness Act, to clarify the congressional intent to release the area and terminate the earlier wilderness study requirement.

The Department supports the release language and recommends enactment of either bill, if amended as indicated.

Next to testify was a panel consisting of the Honorable George F. Allen, House of Delegates, Commonwealth of Virginia; Mr. Harry Nash, Augusta County Board of Supervisors, Staunton; Mr. Edward Clark, President, Virginia Wilderness Society, Waynesboro; Mr. Gerald Schuder, Sr., Chairman of the Board, Trout Unlimited, Waynesboro; Mr. David W. Levy, Chairman, Conservation Committee, Old Dominion Chapter, the Sierra Club, Charlottesville; Mr. David Cockerall, President, Council of Outdoor Adventure Education, Virginia Polytechnic Institute and State University, Blacksburg; and Mr. James Loesel, Chairman, Rockbridge Area Conservation Council, Lexington.

George F. Allen, who represents Albemarle and Nelson Counties of Virginia, expressed his support for S. 2805. He said the bill protects some of Virginia's wild natural areas in the mountains of western Virginia. Mr. Allen stated that there were misconceptions about the restrictions in a statutory wilderness area. He said the only restriction was that no motorized vehicle may be operated in wilderness area, except in certain emergencies. Foot and horse trails will be permitted. Mr. Allen also pointed out the importance of tourism to the economy of Virginia, and these designated areas will attract campers, hikers, hunters, and those who generally like to enjoy the natural beauty of wilderness.

Mr. Allen said S. 2805 is a benficial compromise worked out wisely and courageously by Senators Warner and Trible.

Harry Nash, a newly elected member of the Augusta County Board of Supervisors, spoke in favor of the legislation. He said that the men who have drawn up this legislation, to set aside these areas of Virginia for future generations, are men of vision. Mr. Nash believes this legislation will ensure bear and turkey habitat and a place to hunt them for years to come. With an increasing demand for timber, it will ensure mature oak forests necessary for them and other animals while allowing the Forest Service to manage other areas under a multiple-use concept. He asked support for this legislation so that future generations can enjoy what men of vision of the 1930's made possible for us to enjoy today.

Edward Clark stated that he wanted to express his enthusiastic support for S. 2805 and H.R. 5121. He felt the debate had been thorough and the airing of views complete and that is was now time to move forward with the issue.

Mr. Clark said that the opposition that was encountered was based on fear and misinformation about potential implications of wilderness designation. He urged the Committee to take expeditious action to have this measure signed into law.

Gerald Schuder testified in support of S. 2805. He stated the actual conception of the Virginia wilderness bill began in the spring of 1973. Mr. Schuder said the leadership of the Virginia wilderness movement believed a meaningful wilderness bill would have to involve all individuals, organizations, governments, agencies, and corporations. He said a key factor in the selection process was the RARE II analysis undertaken by the U.S. Forest Service. He stated that all of the 11 wilderness areas in the present bill were recommended for wilderness status by the Forest Service and of the 4 wilderness study areas in the bill, 2 were recommened for wilderness.

He said the Coalition for Virginia Wilderness believes that the areas recommended in S. 2805 meet every test for inclusion in the wilderness system and that no significant economic values are sacrificed by preserving these areas. Mr. Schuder noted the broad-based consensus and support enjoyed by the Virginia wilderness bill and urged its favorable consideration.

David W. Levy expressed his organization's support for S. 2805, which he believes is a compromise to accommodate the diversity of public interests involved. The Sierra Club agrees with the Department of Agriculture that the West Virginia portion of the Mountain Lake area in the Jefferson National Forest be designated as wilderness. Mr. Levy stated that the Sierra Club was satisfied with the provisions in S. 2805 dealing with release language, the air quality impact study mandated in the bill, and buffer zones. The Sierra Club urged expeditious action on the legislation.

David Cockrell testified to the educational benefits that accrue from wilderness. He also pointed out the employment opportunities made available to those in the teaching profession. Mr. Cockrell said that the Virginia Council of Outdoor Adventure Education regards the bill as a considerable compromise of what began as a much larger list of roadless areas. He supported the additional acreage to the James River Face Wilderness in S. 2805, and found no objection to the call for an air quality study nor to the clarification concerning wilderness buffer zones.

James E. Loesel expressed his organization's support for S. 2805 but pointed out that their support for wilderness designation came only after careful study of the facts. He stated that the James River Face Wilderness was the only national forest wilderness in the State of Virginia and welcomed the addition of other selected areas. Mr. Loesel expressed the view that fear over reclassification of air quality standards is without substance. He urged speedy passage of the bill.

Senator Warner asked, as a general question to all members of the panel, if there were any changes they wished to suggest to the pending bill. All members of the panel responded in the negative.

The final panel to testify consisted of the Honorable William T. Wilson, House of Delegates, Commonwealth of Virginia, Covington; Jack Hammond, Plant Manager, Bleached Board Division, Westvaco Corporation Covington; Thomas R. Long, Vice President and General Counsel, Westvaco Corporation, New York, New York; Keith Gary, Off-Road Activities Coordinator, Virginia Four-Wheel Drive Association, Richmond, and David L. Hock, Member, Board of Directors, Four-Wheel Drive Association, Richmond; Lester L. Cherry, Executive Vice President, Greater Alleghany Highlands, Chamber of Commerce, Covington; and Cecil L. Boggs, Jr., President, Virginia Bear Hunters Association, Waynesboro.

William Wilson expressed the fear of many of his constituents that wilderness areas may be upgraded from Class II to Class I air quality standards and, if that happens, the wilderness areas now being proposed near the Covington, Virginia, area would someday have a detrimental impact on the area's economic development. Mr. Wilson requested that S. 2805 be amended to include the two areas in Augusta County that would be designated by the bill as wilderness as part of the land to be studied under section 6(d) of the bill.

Jack Hammond testified for Westvaco Corporation in partial opposition to S. 2805. Mr. Hammond stated that while members of the Virginia congresssional delegation express their opposition to Class I air quality redesignation for wilderness areas, their successors may not share their views. Further, the Governor of Virginia could selectively redesignate any area to Class I air quality status. Mr. Long expanded on Westvaco's fears that a redesignation of the air quality status of wilderness areas is possible and the impact it would have on Covington. He suggested that S. 2805 be amended to include Thunder Ridge, Mountain Lake, Peters Mountain, St. Mary's River, and Ramseys Draft in a further study category. He said that further study of these areas would create a situation where everyone wins and no one loses.

Mr. Long stated opposition to section 5(b)(1) of S. 2805 which bars any judicial review of the RARE II final environmental impact statement, thereby denying Virginia citizens the legal remedies accorded California citizens. Mr. Long further stated that legislative action should be initiated to provide a long-term solution to the linkage between wilderness and the Clean Air Act. Mr. Hood was in agreement with the position taken by Mr. Gary.

Keith Gary testified that his organization was opposed to S. 2805 and H.R. 5121, stating that the legislation is not in the best interests of the majority of users of the national forests. Mr. Gary suggested the multiple-use concept is the least costly and most beneficial way to conserve and enjoy the national forests.

Lester Cherry said he was speaking for the citizens of Alleghany County, Virginia, in opposition to S. 2805. Mr. Cherry repeated the fears of other members of the panel regarding the linkage between wilderness and the Clean Air Act. He questioned why the bill could not have language to alleviate the possibility of air quality redesignation.

Cecil Boggs spoke in opposition to additional wilderness areas. He expressed the fear that more wilderness would pose a future threat to hunting, and senior and disabled citizens would be denied reasonable access to the land.

COMMITTEE MARKUP

The Committee met in open session on Thursday, September 13, 1984, to consider S. 2805.

In his opening statement, Chairman Helms noted that the Virginia wilderness bill was just one of six bills to be considered by the Committee that would add new areas to the National Wilderness Preservation System. Consideration of these bills, together with the four wilderness bills considered by the Committee and signed into law earlier this year, indicates that the Committee takes seriously its responsibility to provide clear direction for forestry policy regarding wilderness and other matters. Chairman Helms noted that the preservation of these additional wilderness areas will leave a legacy that will provide unlimited opportunity for primitive recreation and enjoyment for those choosing to visit the areas.

Senator Huddleston questioned the Forest Service on their efforts to obtain the privately-held mineral rights on existing wilderness areas and whether the exercise of those rights is a growing problem. Douglas MacCleery, Deputy Assistant Secretary for Natural Resources and Environment of the Department of Agriculture, responded that since most of the national forest lands in the eastern United States were acquired from private owners who retained the subsurface mineral rights, it would be very expensive to acquire all of those rights, and the Forest Service does not buy those rights when it makes new acquisitions. The Forest Service deals with this issue on a case-by-case basis, and if a private owner elects to exercise his mineral rights, the Forest Service looks at the impact it might have on the wilderness value and makes a decision as how best to proceed. This factor is also taken into consideration when the Department makes recommendations on which areas are appropriate for wilderness designation.

After a brief explanation of the bill, Chairman Helms, on behalf of Senator Warner and Trible, offered an amendment that would make technical and clerical changes in the bill. The amendment was adopted by voice vote.

By voice vote, the Committee ordered S. 2805 reported, as amended, with a recommendation that it pass.

SECTION-BY-SECTION ANALYSIS

Short title

Section 1 provides that the bill may be cited as the "Virginia Wilderness Act of 1984".

Designation of wilderness areas

Section 2 designates certain National Forest System lands in the State of Virginia, totaling approximately 55,984 acres, as wilderness areas and as components of the National Wilderness Preservation System as follows:

(1) approximately 6,375 acres in the Jefferson National Forest, as generally depicted on a map entitled "Beartown Wilderness—Proposed", dated February 1984, which shall be known as the Beartown Wilderness;

(2) approximately 5,580 acres in the Jefferson National Forest, as generally depicted on a map entitled "Kimberling Creek Wilderness—Proposed", dated February 1984, which shall be known as the Kimberling Creek Wilderness;

(3) approximately 5,730 acres in the Jefferson National Forest, as generally depicted on a map entitled "Lewis Fork Wilderness—Proposed", dated February 1984, which shall be known as the Lewis Fork Wilderness;

(4) approximately 3,400 acres in the Jefferson National Forest, as generally depicted on a map entitled "Little Dry Run Wilderness—Proposed", dated February 1984, which shall be known as the Little Dry Run Wilderness;

(5) approximately 3,855 acres in the Jefferson National Forest, as generally depicted on a map entitled "Little Wilson Creek Wilderness—Proposed", dated February 1984, which shall be known as the Little Wilson Creek Wilderness;

(6) approximately 8,253 acres in the Jefferson National Forest, as generally depicted on a map entitled "Mountain Lake Wilderness—Proposed", dated February 1984, which shall be known as the Mountain Lake Wilderness;

(7) approximately 3,326 acres in the Jefferson National Forest, as generally depicted on a map entitled "Peters Mountain Wilderness—Proposed", dated February 1984, which shall be known as the Peters Mountain Wilderness;

(8) approximately 2,450 acres in the Jefferson National Forest, as generally depicted on a map entitled "Thunder Ridge Wilderness—Proposed", dated February 1984, which shall be known as the Thunder Ridge Wilderness;

(9) approximately 200 acres in the Jefferson National Forest, as generally depicted on a map entitled "James River Face Wilderness Addition—Proposed", dated September 1984, which are incorporated in and deemed to be part of the James River Face Wilderness as designated by the Eastern Wilderness Act (Public Law 93-622);

(10) approximately 6,725 acres in the George Washington National Forest, as generally depicted on a map entitled "Ramseys Draft Wilderness—Proposed", dated January 1984, which shall be known as the Ramseys Draft Wilderness; and

(11) approximately 10,090 acres in the George Washington National Forest, as generally depicted on a map entitled "Saint Mary's Wilderness—Proposed", dated January 1984, which shall be known as the Saint Mary's Wilderness.

Maps and descriptions

Section 3 provides that, as soon as practicable after enactment of the bill, the Secretary of Agriculture is required to file maps and legal descriptions of the areas designated as wilderness in the bill with the House Committees on Agriculture and on Interior and Insular Affairs and with the Senate Committee on Agriculture, Nutrition, and Forestry. In addition, this section provides that the maps and descriptions shall have the same force and effect as if included in the bill, except that correction of clerical and typographical errors may be made by the Secretary. The maps and descriptions must be on file and available for public inspection in the Office of the Chief of the Forest Service.

Administration of wilderness

Section 4 requires that, subject to valid existing rights, each of the areas designated as wilderness by the bill be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act, except that any reference in those provisions to the effective date of that Act would be deemed to be a reference to the date of enactment of the bill.

Effect of RARE II

Section 5(a) contains congressional findings to the effect that the Department of agriculture has completed the second roadless area review and evaluation (RARE II) and that Congress has made its own evaluation of National Forest System roadless areas in Virginia, including reviewing the environmental impacts associated with alternative uses of these areas.

Section 5(b) provides that Congress determines and directs, with respect to the National Forest System lands in Virginia, that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to National Forest System lands in States other than Virginia, such final environmental statement shall not be subject to judicial review;

(2) to the extent such lands were reviewed in the RARE II or otherwise referenced in section 5(d) of the bill, except those lands designated for wilderness study, the RARE II review and evaluation or reference shall be considered to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System for the purposes of the initial land management plans required by law. Also, the Department shall not be required to review the wilderness option for such lands prior to revision of the initial land management plans but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a 10-year cycle, or at least every 15 years, unless, prior to that time, the Secretary finds that conditions in a unit have significantly changed;

(3) to the extent such lands were reviewed in the RARE II final environmental statement, or otherwise referenced in the bill and not designated as wilderness or for wilderness study, such nondesignated lands shall be managed for multiple-use purposes in accordance with section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, except that such lands need not be managed to protect their suitability for wilderness designation prior to or during revision of the initial land managemet plans;

(4) in the event that revised land management plans are implemented, areas not recommended for wilderness designation in any such revisions need not be managed to protect their suitability for wilderness designation prior to or during revision of such plans, except as otherwise provided for in section 6(c) of the bill. Areas recommended for wilderness designation shall be managed to protect their suitability for wilderness designation as may be required by applicable law; and

(5) unless expressly authorized by Congress, the Department shall not conduct any additional statewide roadless area review and evaluation of such lands for the purpose of determining the suitability of any additional areas for inclusion in the National Wilderness Preservation System.

Section 5(c) provides that, as used in the bill and in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended, the term "revision" does not include an "amendment" to a plan.

Section 5(d) provides that the release provisions of the section also apply to National Forest System roadless lands in Virginia that are less than 5,000 acres in size.

Designation of wilderness study areas

Section 6(a) designates 4 wilderness study areas in Virginia (totaling approximately 25,075 acres). The designated wilderness study areas are as follows;

(1) approximately 9,300 acres in the George Washington National Forest, as generally depicted on a map entitled "Rough Mountain Wilderness Study Area—Proposed", dated January 1984, which shall be known as the Rough Mountain Widerness Study Area;

(2) approximately 5,600 acres in the George Washington National Forest, as generally depicted on a map entitled "Rich Hole Wilderness Study Area—Proposed", dated January 1984, which shall be known as the Rich Hole Wilderness Study Area;

(3) approximately 5,875 acres in the Jefferson National Forest, as generally depicted on a map entitled "Barbours Creek Wilderness Study Area—Proposed", dated February 1984, which shall be known as the Barbours Creek Wilderness Study Area; and

(4) approximately 4,300 acres in the Jefferson National Forest, as generally depicted on a map entitled "Shawvers Run Wilderness Study Area—Proposed", dated February 1984, which shall be known as the Shawvers Run Wilderness Study Area.

Section 6(b) requires the Secretary of Agriculture, in carrying out the review required under this section, to give public notice at least 60 days in advance of any hearing or other public meeting concerning a study area.

Section 6(c) provides that, subject to valid existing rights, the Secretary shall administer the wilderness study areas designated in this section so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System until Congress determines otherwise.

Section 6(d) requires the Secretary, in consultation with the Environmental Protection Agency and the State of Virginia, to evaluate and report to Congress within 2 years after the date of enactment of the bill on the effects of the proposed industrial development site at Covington, Virginia, on air quality on the areas designated for wildrness study by the bill. The Secretary is to provide an interim report to the appropriate committees of Congress within 1 year after enactment of the bill.

Buffer zones

Section 7 provides that Congress does not intend that designation of wilderness areas in Virginia lead to the creation of protective perimeters or buffer zones around each wilderness area. The section further provides that the fact that nonwilderness activities or uses can be seen or heard from areas within the wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

ADMINISTRATION VIEWS

On August 6, 1984, Chairman Helms received a report from Secretary of Agriculture John R. Block expressing the Department's support for the enactment of S. 2805 if amended as suggested in the report. This report, along with the portion of the July 25, 1984, testimony to the Subcommittee on Soil and Water Conservation, Forestry and Environment presented by Mr. F. Dale Robertson, Associate Chief of the Forest Service, on S. 2805 follow:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, DC, August 16, 1984.

Hon. JESSE HELMS,
Chairman, Committee on Agriculture, Nutrition, and Forestry, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: We would like to offer our view on S. 2805, a bill "To designate certain National Forest System lands in the State of Virginia as wilderness, and for other purposes."

The Department of Agriculture recommends that the bill be enacted if amended as suggested herein.

S. 2805 would designate 10 additional wildernesses, totaling approximately 56,000 acres, expand one existing wilderness by 200 acres, designate four areas, totaling approximately 25,000 acres, as wilderness study areas, and would provide for an air quality study near Covington, Virginia.

Nine of the areas proposed for wilderness designation in S. 2805 were recommended for wilderness in RARE II. These areas are: Beartown, Little Dry Run, Lewis Fork, Little Wilson, Kimberling, Thunder Ridge, and Peters Mountain on the Jefferson National Forest; and Ramseys Draft and St. Marys on the George Washington National Forest. We continue to support wilderness designation for these areas.

The tenth area proposed for designation as wilderness in S. 2805 is Mountain Lake. This area was recommended for further planning in RARE II and was also identified as a wilderness study area in the Eastern Wilderness Act of 1975. Extensive study and public involvement have been completed on this area. The study is sufficiently far along that we can support designation of the area as wilderness. Only limited resource values would be foregone by the proposed wilderness designation. Only the 8,253 acres in Virginia are included in S. 2805. We recommend inclusion of the contiguous 3,030 acres in West Virginia.

The bill proposes adding an additional 200 acres to the James River Face Wilderness. We do not object to this addition, since it is logical to manage the area as a part of the existing wilderness.

S. 2805 would designate Rough Mountain, Rich Hole, Barbours Creek, and Shawvers Run for further study as to their wilderness suitability. Rough Mountain and Rich Hole were recommended for wilderness in RARE II. We recommend that both areas be designated wilderness because we see little value in studying these areas further.

Barbours Creek and Shawvers Run were evaluated in RARE II as the Barbours Creek area. They were designated as nonwilderness in RARE II because of extensive management activities in the area. Oil and gas leases cover the entire area. Extensive timber harvest has taken place in the area and additional sales are planned. These areas have been adequately studied. We do not recommend further study and believe the area should be released to uses other than wilderness by this bill.

We recommend that section 6(d) in S. 2805 be deleted. This section is intended to require determination of what restrictions would be placed on industrial development in Covington, Virginia, if the wilderness study areas in the bill became wilderness and were redesignated from Class II to Class I air quality areas. When an area is designated wilderness, the air quality class does not change. It is possible for the State to redesignate these areas to Class I by following the procedures specified in the Clean Air Act as amended, but in our opinion this change is not likely. We do not think it is appropriate to spend taxpayers dollars to study a redesignation that is unlikely to occur. If not amended, the costs of implementing the air quality proposed would be between $1.5 and $2 million.

Five areas—Dolly Ann, Ramseys Draft Addition, Southern Massanutten, Devils Fork and Mill Creek—were identified for further planning in RARE II. They would be released for uses other than wilderness by this bill. Mill Creek was also identified as wilderness study areas in the Eastern Wilderness Act of 1975. We recommend that specific language be added to S. 2805 to rescind Mill Creek's Wilderness Study Area status.

We estimate that surveying, planning, and related activities necessary to implement the bill, if amended as we suggest, would be approximately $200,000 over the next 5 years.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administrative's program.

Sincerely,

JOHN R. BLOCK, *Secretary.*

STATEMENT OF F. DALE ROBERTSON, ASSOCIATE CHIEF, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

BEFORE THE SUBCOMMITTEE ON SOIL AND WATER CONSERVATION, FORESTRY, AND ENVIRONMENT OF THE SENATE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Concerning S. 2773, S. 2805, H.R. 5121 and S. 2808, July 25, 1984

Mr. Chairman and members of the committee: It is a pleasure to join you here today as you consider several bills that would designate portions of the National Forests in Georgia, Mississippi, and Virginia as components of the National Wilderness Preservation System.

S. 2805/H.R. 5121—"The Virginia Wilderness Act of 1984"

S. 2805 and H.R. 5121 are the same except for the air quality study provision and buffer provision in the Senate bill.

These bills would designate 10 additional wildernesses for approximately 56,000 acres, expand one existing wilderness by approximately 200 acres, and designate four areas, totaling 25,075 acres, as wilderness study areas.

The Department of Agriculture recommends enactment of either bill if amended as indicated in my testimony.

Currently, there are two wilderness areas in Virginia—one within Shenandoah National Park administered by the National Park Service and James River Face administered by the Forest Service.

Nine of the areas proposed for wilderness designation in S. 2805 and H.R. 5121 were recommended for wilderness in RARE II. These areas are: Beartown, Little Dry Run, Lewis Fork, Little Wilson, Kimberling, Thunder Ridge, and Peters Mountain on the Jefferson National Forest; and Ramseys Draft and St. Marys on the George Washington National Forest. We continue to support wilderness designation for these areas.

The tenth area proposed for designation as wilderness in the bills is Mountain Lake. This area was recommended for further planning in RARE II and was also identified as a wilderness study area in the Eastern Wilderness Act. Extensive study and public involvement have been completed on this area. The study is sufficiently far along that we can support designation of the area as wilderness since there are only limited resource values that would be foregone by wilderness designation. Only the 8,253 acres in Virginia are included in S. 2805 and H.R. 5121. We recommend inclusion of the contiguous 3,030 acres in West Virginia.

The bills propose adding a small amount of land to the James River Face Wilderness. We do not object to this addition, since it is logical to manage this land as a part of the existing wilderness.

H.R. 5121 and S. 2805 would designate Rough Mountain, Rich Hole, Barbours Creek, and Shawvers Run for wilderness study. Rough Mountain and Rich Hole were recommended for wilderness in RARE II. We recommend that both areas be designated wilderness because we see little value in studying these areas further.

Barbours Creek and Shawvers Run were evaluated in RARE II as the Barbours Creek area. They were recommended as nonwilderness in RARE II because of extensive management activities in the area. There are currently oil and gas leases covering the entire area. Extensive timber harvest has taken place in the area and additional sales are planned. These areas have been adequately studied. We do not support further study and believe the area should be released to uses other than wilderness by this bill.

We recommend that section 6(d) in S. 2805 be deleted. This section is intended to require determination of what restrictions would be placed on industrial development in Covington, Virginia, if the wilderness study areas in the bill became wilderness and were redesignated from Class II to Class I air quality areas. When an area is designated wilderness, the air quality class does not change. It is possible for the State to redesignate these areas to Class I by following the procedures specified in the Clean Air Act as amended, but in our opinion this change is not likely. We do not think it is appropriate to spend taxpayers dollars to study a redesignation that is unlikely to occur.

Five areas—Dolly Ann, Ramseys Draft Addition, Southern Massanutten, Devils Fork and Mill Creek—were identified for further planning in RARE II. They would be released for uses other than wilderness by this bill. Mill Creek was also identified as a wilderness study area in the Eastern Wilderness Act of 1975. We recommend that specific language be added to S. 2805 and H.R. 5121 to rescind Mill Creek's Wilderness Study Area status to clarify the Congressional intent to release the area and terminate the earlier wilderness study requirement.

We support the release language in both bills.

COST ESTIMATE

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee estimates that the enactment of S. 2805 would result in a cost to the Federal Government of approximately $200,000 over the next 5 fiscal years for surveying, planning, and related activities to implement the wilderness designations, and $600,000 over fiscal years 1985 and 1986 to evaluate the effects of a proposed industrial development and site at Covington, Virginia, on air quality in the areas designated for wilderness study by the bill. In addition, receipts from the sale of timber could be reduced by less than $35,000 per year. Small savings in land management planning costs over the next 3 years will result from certain areas being released from further wilderness review during the period of the initial land management plans.

In accordance with the Congressional Budget Act of 1974, the Congressional Budget Office prepared the following cost estimate, which is consistent with the Committee's cost estimate:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 18, 1984.

Hon. JESSE A. HELMS,
Chairman, Committee on Agriculture, Nutrition, and Forestry, U.S. Senate, 328A Russell Senate Office Building, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 2805, the Virginia Wilderness Act of 1984, as reported by the Senate Committee on Agriculture, Nutrition and Forestry, September 13, 1984.

This bill adds 55,984 acres of National Forest System lands in Virginia to the national wilderness preservation system, and designates an additional 25,075 acres of land for wilderness review. Based on information from the National Forest Service (NFS), we estimate that additional costs to the federal government for surveying, planning and related activities necessary to implement these withdrawals will be approximately $200,000 over the five fiscal years beginning with 1985.

The bill also requires the Secretary of Agriculture, in consultation with the Environmental Protection Agency and the State of Virginia, to evaluate the effects of the proposed industrial development site of Covington, Virginia, on air quality in the areas designated for wilderness study by this act. Based on information from the NFS, CBO estimates that the study will cost the federal government a total of approximately $600,000 over fiscal years 1985 and 1986, if the parties involved in the Covington development provide the NFS with certain necessary information. If not, the cost could be higher.

According to the provisions of the National Wilderness Preservation System Act, all timber in areas designated as units of the national wilderness preservation system is removed from the timber base of the national forest in which it is located. This results in a reduction of the annual potential yield of the forest. The annual loss of timber receipts resulting from this bill is expected to be less than $35,000 per year.

Lands designated as wilderness are also withdrawn from mineral activity under the terms of the National Wilderness Preservation Act. This bill is not expected to result in any significant loss of mineral receipts, because little mineral potential has been found in lands involved, except for those in areas where the resources can be removed under valid existing rights.

All roadless areas in national forests not designated as wilderness or expressly excluded from further review by an act of the Congress are currently being reevaluated for their suitability for inclusion in the national wilderness preservation system. S. 2805 removes from this review all roadless areas in Virginia included in the Department of Agriculture's second Roadless Area Review and Evaluation (RARE II) during the period of the initial management plan. This will result in a small savings in land management planning costs over the next three years.

Enactment of this bill would not significantly affect the budgets of state and local governments.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

RUDOLPH G. PENNER, *Director.*

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2805. The bill would designate certain lands in the State of Virginia as components of the National Wilderness Preservation System. It would also designate certain lands in that State as wilderness study areas.

The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

Subject to valid existing rights, the Wilderness Act prohibits future harvesting of timber and future entry for mineral extraction on lands included in the National Wilderness Preservation System. Enactment of the bill will result in approximately 55,984 acres being placed in the National Wilderness Preservation System, and approximately 25,075 acres being designated as wilderness study areas, and, thereby, will restrict uses other than wilderness on such land.

Wilderness designation will result in restricting private individuals' motorized use of public lands. Activities which have previously occurred, such as firewood gathering, motorized access for hunting and fishing, and trail bike riding, will be terminated.

A wilderness permit may be required of individuals using certain wilderness areas and, therefore, limited personal information would be collected in administering the program. It is anticipated that the impact on personal privacy would be minimal.

The bill will not result in any significant additional paperwork or recordkeeping requirements.

Calendar No. 1306

98TH CONGRESS
2D SESSION

H. R. 5121

IN THE SENATE OF THE UNITED STATES

MAY 9 (legislative day, APRIL 30), 1984

Received; read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

OCTOBER 2 (legislative day, SEPTEMBER 24), 1984

Committee discharged; ordered to be placed on the calendar

AN ACT

To designate certain national forest system lands in the State of Virginia as wilderness, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Virginia National Forest Wilderness Act of 1984".

SEC. 2. (a) In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131–1136), the following lands in the State of Virginia are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System—

(1) certain lands in the Jefferson National Forest, Virginia, which comprise approximately six thousand three hundred and seventy-five acres, as generally depicted on a map entitled "Beartown Wilderness—Proposed", dated February 1984, and which shall be known as the Beartown Wilderness;

(2) certain lands in the Jefferson National Forest, Virginia, which comprise approximately five thousand five hundred and eighty acres, as generally depicted on a map entitled "Kimberling Creek Wilderness—Proposed", dated February 1984, and which shall be known as the Kimberling Creek Wilderness;

(3) certain lands in the Jefferson National Forest, Virginia, which comprise approximately five thousand seven hundred and thirty acres, as generally depicted on a map entitled "Lewis Fork Wilderness—Proposed", dated February 1984, and which shall be known as the Lewis Fork Wilderness;

(4) certain lands in the Jefferson National Forest, Virginia, which comprise approximately three thousand four hundred acres, as generally depicted on a map entitled "Little Dry Run Wilderness—Proposed", dated February 1984, and which shall be known as the Little Dry Run Wilderness;

(5) certain lands in the Jefferson National Forest, Virginia, which comprise approximately three thousand eight hundred and fifty-five acres, as generally depicted on a map entitled "Little Wilson Creek Wilderness—Proposed", dated February 1984, and which shall be known as the Little Wilson Creek Wilderness;

(6) certain lands in the Jefferson National Forest, Virginia, which comprise approximately eight thousand two hundred and fifty-three acres, as generally depicted on a map entitled "Mountain Lake Wilderness—Proposed", dated February 1984, and which shall be known as the Mountain Lake Wilderness;

(7) certain lands in the Jefferson National Forest, Virginia, which comprise approximately three thousand three hundred and twenty-six acres, as generally depicted on a map entitled "Peters Mountain Wilderness—Proposed." dated February 1984, and which shall be known as the Peters Mountain Wilderness;

(8) certain lands in the Jefferson National Forest, Virginia, which comprise approximately two thousand four hundred and fifty acres, as generally depicted on a map entitled "Thunder Ridge Wilderness—Proposed", dated February 1984, and which shall be known as the Thunder Ridge Wilderness;

(9) certain lands in the Jefferson National Forest, Virginia, which comprise approximately one hundred and sixty acres, as generally depicted on a map entitled "James River Face Wilderness Addition—Proposed", dated January 1984, and which are hereby incorporated in, and shall be deemed part of, the James River Face Wilderness as designated by Public Law 93-622;

(10) certain lands in the George Washington National Forest, Virginia, which comprise approximately six thousand seven hundred and twenty-five acres, as generally depicted on a map entitled "Ramseys Draft Wilderness—Proposed", dated January 1984, and which shall be known as the Ramseys Draft Wilderness; and

(11) certain lands in the George Washington National Forest, Virginia, which comprise approximately ten thousand and ninety acres, as generally depicted on a map entitled "Saint Mary's Wilderness—Proposed", dated January 1984, and which shall be known as the Saint Mary's Wilderness.

(b) Subject to valid existing rights, the wilderness areas designated under this section shall be administered by the Secretary of Agriculture (hereinafter in this Act referred to as the "Secretary") in accordance with the provisions of the

Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act (or any similar reference) shall be deemed to be a reference to the date of enactment of this Act.

(c) As soon as practicable after enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated under this section with the Committees on Agriculture and Insular Affairs of the House of Representatives and with the Committees on Agriculture, Nutrition and Forestry and Energy and Natural Resources of the United States Senate. The map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in the legal description and map may be made. The map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, United States Department of Agriculture.

SEC. 3. In furtherance of the purposes of the Wilderness Act, the Secretary shall review, as to their suitability for preservation as wilderness, the following areas in the State of Virginia—

(1) certain lands in the George Washington National Forest which comprise approximately nine thousand three hundred acres, as generally depicted on a

map entitled "Rough Mountain Wilderness Study Area—Proposed", dated january 1984, and which shall be known as the Rough Mountain Wilderness Study Area;

(2) certain lands in the George Washington National Forest which comprise approximately five thousand six hundred acres, as generally depcited on a map entitled "Rich Hole Wilderness Study Area—Proposed", dated January 1984, and which shall be known as the Rich Hole Wilderness Study Area;

(3) certain lands in the Jefferson National Forest which comprise approximately five thousand eight hundred and seventy-five acres, as generally depicted on a map entitled "Barbours Creek Wilderness Study Area—Proposed", dated February 1984, and which shall be known as the Barbours Creek Wilderness Study Area; and

(4) certain lands in the Jefferson National Forest which comprise approximately four thousand three hundred acres, as generally depicted on a map entitled "Shawvers Run Wilderness Study Area—Proposed", dated February 1984, and which shall be known as the Shawvers Run Wilderness Study Area.

In conducting his review, the Secretary shall give public notice at least sixty days in advance of any hearing or other public meeting concerning a study area.

(b) Subject to valid existing rights, until Congress determines otherwise, the wilderness study areas designated by this section shall be administered by the Secretary so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System.

SEC. 4. (a) The Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and

(2) the Congress has made its own review and examination of national forest system roadless areas in Virginia and of the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to national forest system lands in States other than Virginia, such statement shall not be subject to judicial

review with respect to national forest system lands in the State of Virginia;

(2) with respect to the national forest system lands in the State of Virginia which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II) and those lands referred to in subsection (d), except those lands remaining in wilderness study upon enactment of this Act, that review and evaluation or reference shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless, prior to such time the Secretary of Agriculture finds that conditions in a unit have significantly changed;

(3) areas in the State of Virginia reviewed in such final environmental statement or referenced in subsec-

tion (d) and not designated wilderness or wilderness study upon enactment of this Act shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976: *Provided,* That such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the initial land management plans;

(4) in the event that revised land management plans in the State of Virginia are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law; and

(5) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of national forest system lands in the State of Virginia for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(c) As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term "revision" shall not include an "amendment" to a plan.

(d) The provisions of this section shall also apply to national forest system roadless lands in the State of Virginia which are less than five thousand acres in size.

Passed the House of Representatives May 8, 1984.

Attest: BENJAMIN J. GUTHRIE,
Clerk.

Calendar No. 1194

98TH CONGRESS
2D SESSION

S. 2808

[Report No. 98–613]

To designate certain National Forest System lands in the State of Mississippi as wilderness, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 28 (legislative day, JUNE 25), 1984

Mr. COCHRAN introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

SEPTEMBER 18 (legislative day, SEPTEMBER 17), 1984

Reported by Mr. HELMS, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To designate certain National Forest System lands in the State of Mississippi as wilderness, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, ~~That this Act may be cited as the "Mississippi National Forest Wilderness Act of 1984".~~

~~SEC. 2. (a) In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131–1136), the following lands in the~~

~~State of Mississippi are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System.~~

~~(1) Certain lands in the De Soto National Forest, Mississippi, which comprise approximately four thousand five hundred and sixty acres, as generally depicted on a map entitled "Proposed Black Creek Wilderness," dated January, 1979, and which shall be known as the Black Creek Wilderness; and~~

~~(2) certain lands in the De Soto National Forest, Mississippi, which comprise approximately nine hundred and forty acres, as generally depicted on a map entitled "Proposed Leaf Wilderness," dated January, 1979, and which shall be known as the Leaf Wilderness.~~

~~(b) Subject to valid existing rights, the wilderness areas designated under this section shall be administered by the Secretary of Agriculture (hereinafter in the Act referred to as the Secretary) in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act (or any similar reference) shall be deemed to be a reference to the date of enactment of this Act.~~

~~(c) As soon as practicable after enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated under this section with the Committee on Interior and Insular Affairs and the Committee on Agriculture of the House of Representatives and with the Committee on Agriculture, Nutrition, and Forestry of the United States Senate. The map and description shall have the same force and effect as if included in this Act, except that correction or clerical and typographical errors in the legal description and map may be made. The map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, United States Department of Agriculture.~~

~~SEC. 3. (a) The Congress finds that—~~

~~(1) The Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and~~

~~(2) The Congress has made its own review and examination of National Forest System roadless areas in the State of Mississippi and of the environmental impacts associated with alternative allocations of such areas.~~

~~(b) On the basis of such review, the Congress hereby determines and directs that—~~

~~(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January, 1979) with respect to National Forest System lands in States other than Mississippi, such statement shall not be subject to judicial review with respect to National Forest System levels in the State of Mississippi;~~

~~(2) with respect to the National Forest System lands in the State of Mississippi which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II) and those lands referred to in subsection (d) that review and evaluation or reference shall be deemed for the purpose of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976 (Public Law 94-588) to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless, prior~~

~~to such time the Secretary finds that conditions in a unit have significantly changed;~~

~~(3) areas in the State of Mississippi reviewed in such final environmental statement or referenced in subsection (d) and not designated wilderness upon enactment of this Act shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976: *Provided,* That such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the initial land management plans;~~

~~(4) in the event that revised land management plans in the State of Mississippi are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability~~

~~for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976, and other applicable law; and~~

~~(5) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Mississippi for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.~~

~~(c) As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976, the term "revision" shall not include an "amendment" to a plan.~~

~~(d) The provisions of this section shall also apply to:~~

~~(1) those national forest roadless lands which were evaluated in the Delta unit plan dated February 1976; and~~

~~(2) national forest roadless lands in the State of Mississippi which are less than five thousand acres in size.~~

That this Act may be cited as the "Mississippi National Forest Wilderness Act of 1984".

DESIGNATION OF WILDERNESS AREAS

SEC. 2. In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131–1136), the following lands in the State of Mississippi are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(1) certain lands in the De Soto National Forest, Mississippi, which comprise approximately four thousand five hundred and sixty acres, as generally depicted on a map entitled "Proposed Black Creek Wilderness", dated January 1979, and which shall be known as the Black Creek Wilderness; and

(2) certain lands in the De Soto National Forest, Mississippi, which comprise approximately nine hundred and forty acres, as generally depicted on a map entitled "Proposed Leaf Wilderness", dated January 1979, and which shall be known as the Leaf Wilderness.

MAPS AND DESCRIPTIONS

SEC. 3. As soon as practicable after enactment of this Act, the Secretary of Agriculture shall file a map and a legal description of each wilderness area designated by this Act with the Committee on Interior and Insular Affairs and the Committee on Agriculture of the United States House of Representatives and with the Committee on Agriculture, Nutrition, and Forestry of the United States Senate. Each such *map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in each such map and description may be made by the Secretary. Each such map and description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.*

ADMINISTRATION OF WILDERNESS

SEC. 4. Subject to valid existing rights, each wilderness area designated by this Act shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

EFFECT OF RARE II

SEC. 5. (a) The Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and

(2) the Congress has made its own review and examination of National Forest System roadless areas in the State of Mississippi, and of the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to National Forest System lands in States other than Mississippi, such statement shall not be subject to judicial review with respect to National Forest System lands in the State of Mississippi;

(2) with respect to the National Forest System lands in the State of Mississippi which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II) and those lands referred to in subsection (d), that review and evaluation or reference shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall review the wilderness option when the plans are revised, which revisions will

ordinarily occur on a ten-year cycle, or at least every fifteen years, unless, prior to such time, the Secretary of Agriculture finds that conditions in a unit have significantly changed;

(3) areas in the State of Mississippi reviewed in such final environmental statement or referenced in subsection (d) and not designated wilderness upon enactment of this Act shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976: Provided, That such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the initial land management plans;

(4) in the event that revised land management plans in the State of Mississippi are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans, and

areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law; and

(5) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Mississippi for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(c) As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term "revision" shall not include an "amendment" to a plan.

(d) The provisions of this section shall also apply to—

(1) those National Forest System roadless lands which were evaluated in the Delta unit plan dated February 1976; and

(2) National Forest System roadless lands in the State of Mississippi which are less than five thousand acres in size.

Calendar No. 1194

98TH CONGRESS
2d Session

SENATE

REPORT
98-613

MISSISSIPPI NATIONAL FOREST WILDERNESS ACT OF 1984

SEPTEMBER 18 (legislative day, SEPTEMBER 17), 1984.—Ordered to be printed

Mr. HELMS, from the Committee on Agriculture, Nutrition, and Forestry, submitted the following

REPORT

[To accompany S. 2808]

The Committee on Agriculture, Nutrition, and Forestry, to which was referred the bill (S. 2808) to designate certain National Forest System lands in the State of Mississippi as wilderness, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

SHORT EXPLANATION

The bill, as reported by the Committee, would designate 2 areas (totaling approximately 5,500 acres) in the national forests in the State of Mississippi as wilderness areas and as components of the National Wilderness Preservation System. The bill provides for the Secretary of Agriculture to administer the areas designated as wilderness by the bill in accordance with the provisions of the Wilderness Act, to promptly file maps and legal descriptions of the designated areas with appropriate committees of Congress, and to make the maps and descriptions available for public inspection.

Further, the bill contains language to ensure that certain National Forest System lands in the State of Mississippi not designated as wilderness by the bill are released for such uses as are deemed appropriate through the national forest management planning process. The bill also prohibits, unless expressly authorized by Congress, any further statewide roadless area review and evaluation of National Forest System lands in Mississippi for purposes of considering the wilderness suitability of such lands.

Committee Amendment

The Committee amendment to the bill strikes all after the enacting clause and inserts in lieu thereof an amendment in the nature of a substitute that is technical in nature, making clarifying and other clerical changes.

Purpose and Need for Legislation

S. 2808 has as its purpose the designation of two new wilderness areas located in the southeastern part of the State of Mississippi. The legislation is the result of a review by the U.S. Department of Agriculture conducted during the period of 1977 through 1979 and termed the second roadless area review and evaluation (RARE II). That study examined the lands of the National Forest Sytem nationwide and, through the final environmental impact statement issued by the Department of Agriculture in January 1979, recommended designation of certain of these lands as wilderness, including the two areas that would be designated by S. 2808. Since 1979, many groups and citizens in Mississippi and across the Nation have supported wilderness designation for these two areas. Currently, there are no wilderness areas in the State of Mississippi. The bill would also ensure that national forest lands not designated as wilderness are released for such uses as are determined appropriate through the national forest land management planning process.

WILDERNESS DESIGNATIONS

The combined acreage of the wilderness areas that would be established is approximately 5,500 acres. Both areas are generally recognized as having outstanding opportunities for solitude and unconfined recreation. Water is a major factor at both areas. The areas are excellent representatives of the outer coastal plain ecosystem.

The two areas would become part of the National Wilderness Preservation System. They would be managed by the U.S. Forest Service under provisions of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1131–1136).

A description of the wilderness proposals of the bill follows:

Black Creek Wilderness

The proposed 4,500-acre wilderness is located in Perry County, Mississippi, and includes 5 miles of Black Creek which is being studied by the Forest Service for possible designation under the National Wild and Scenic River System. The area also includes Beaverdam Creek which is a narrow winding tree-covered stream.

The Black Creek area is traversed by the Black Creek hiking trail. That trail provides an excellent means of obtaining ground access into the wilderness and is one of the best places in Mississippi for backpacking and related recreational experiences. Because of the accessibility of the area to much of Mississippi and parts of Louisiana, it is heavily utilized by recreationists.

Leaf Wilderness

This 940-acre proposal is located in Greene County and is an outstanding wilderness in that it possesses outstanding natural characteristics. The area is covered with verdant stands of bottomland hardwood forest bordered by contrasting upland forest types on the moist slopes and bluffs that border the swamp. The entire area is a mosaic of creeks, sloughs, bluffs, and lakes. Its botanical diversity is remarkable and designation of this area as wilderness would ensure that those seeking a truly different and primative wilderness experience will be able to find one.

Because of the extensive variety of hardwood and pine timber in these areas a valuable and diverse habitat is provided for wildlife and bird species.

SUFFICIENCY AND RELEASE LANGUAGE

Background

In 1924, when the U.S. Forest Service decided it should manage wilderness as one of the many uses to be made of the National Forest System, it established the Gila Wilderness Reserve in the Gila National Forest in New Mexico. The purpose was to keep some parts of the Nation's forests in the condition in which mankind had found them, both as scientific benchmarks against which civilization's works could be compared and as recreational refuges for people who wanted to temporarily get away from the stresses of civilization. During the next 40 years, the Forest Service administratively established more of these areas, mostly in the West, from which evidence of human technology and development are substantially excluded.

In 1964, this wilderness concept became national policy when Congress passed the Wilderness Act and established the National Wilderness Preservation System. That System incorporated the 9.1 million acres that had been set aside by the Forest Service over the previous 4 decades. Generally, the Wilderness Act specifies that within wilderness areas there will be no roads, no timber harvesting, no structures or installations, and no use of motor boats or landing of aircraft. Each wilderness area was to be an area where man was a visitor who did not remain.

The Wilderness Act gave the Forest Service 10 years to complete studies of the national forest primitive areas—areas temporarily reserved from access pending study of their suitability for wilderness designation. In addition, Congress provided that no future wilderness could be created in the national forests, except by Act of Congress. However, Congress did not preclude the management of lands within the National Forest System for primitive, roadless recreation, within the concept of multiple-use management.

As the Forest Service began its review of primitive areas within the national forests in the late 1960's to determine the suitability for wilderness designation of specific tracts, a number of problems arose in connection with established timber management plans. In many forests, after new sales were advertised, administrative protests were filed, charging that a particular sale would violate the statutory concept of multiple use. Usually, the allegation was that the proposed sale was in an area that should be designated as wilderness or that should be devoted to unstructured recreation with no harvesting of timber. As timber sales became tied up in such appeals and the orderly management of the national forests disintegrated, the Forest Service instituted the first roadless area review and evaluation (RARE I) as the planning process to resolve the problems.

By 1973, RARE I had resulted in the selection of 274 wilderness study areas containing approximately 12.3 million acres. The other roadless areas in the RARE I inventory, having been considered and rejected for possible wilderness designation, were not protected as wilderness and remained in their full multiple-use status.

The National Environmental Policy Act (NEPA) became law on January 1, 1970. It required the Executive Branch, before making any major decision having a significant impact on the human environment, to prepare an assessment of the environmental impact of the proposed action. The NEPA was the basis of a lawsuit filed in 1972, as the RARE I process was nearing completion, that charged that the Forest Service must prepare environmental impact statements on roadless areas that were supposedly returned to multiple-use management. The Federal District Court for the Northern District of California agreed that the agency was subject to the decisionmaking process prescribed by NEPA, and all development activities on the roadless areas were stopped. See *Sierra Club* v. *Butz,* Civ. No. 72-1445-SC (N.D. Cal. 1972) 3 Environmental Law Reporter 20071.

As a result of restricted sources of timber supplies, tremendous pressures were placed on the remaining National Forest System lands that remained open to timber harvesting. In some forests, timber sale levels dropped dramatically below the allowable cuts. In other forests, timber sale levels were maintained, but sales were concentrated on lands outside the RARE I roadless areas. In these forests, the concentration of sales at the full sales volume on a limited area produced fears that these available areas would be overcut to the detriment of land and watersheds.

It was obvious that a remedy was needed for this situation, and the Forest Service decided that a faster planning process was the answer. Thus, the second roadless area review and evaluation (RARE II) was formulated to expedite the planning process for roadless areas. RARE II began in June 1977 and was intended to survey the roadless and undeveloped areas within the National Forest System and to distinguish areas suitable for wilderness designation from those most appropriate for other uses. The areas found suitable for wilderness would be recommended for addition to the National Wilderness Preservation System through congressional action. The remaining roadless lands would be allocated to nonwilderness uses determined under the multiple-use planning process, or allocated to further study.

On April 16, 1979, President Carter made final recommendations to Congress based on the review of 2,919 identified roadless areas encompassing 62 million acres in the National Forest System. The Administration recommended that wilderness designation be given to approximately 15.1 million acres of the original 62-million acre roadless inventory. Another 10.8 million acres of roadless lands were determined to require further planning before decisions were made on their future management. The balance of the areas, which totaled about 36 million acres, were allotted to nonwilderness, multiple-use management.

Much litigation has occurred since the RARE II recommendations. This has had a direct bearing on congressional consideration of wilderness legislation. In June 1979, the State of California challenged the RARE II wilderness and nonwilderness allocations on National Forest System lands in that State. *Califonia* v. *Bergland,* 483 F. Supp 465 (E.D. Cal. 1980). The State and various environmental organizations which joined the lawsuit claimed that the RARE II final environmental impact statement was legally flawed. On January 8, 1980, the Federal district court agreed with the State's position, finding that the environmental statement for RARE II was deficient under the provisions of the National Environmental Policy Act. The Court ruled that a more site-specific analysis of wilderness qualities was required for 46 of the areas allocated for nonwilderness. Additionally, the Court found flaws in the RARE II analysis process. As a result, the Court enjoined any development in the 46 disputed areas, pending preparation of an adequate environmental impact statement. The major points of the district court ruling were affirmed by the Ninth Circuit Court of Appeals. *California* v. *Block,* 690 F.2d 753 (9th Cir. 1982).

The ruling by the Court of Appeals that the RARE II environmental impact statement was deficient has a significant impact on Forest Service activities. Although the decision applied specifically only to the 46 roadless areas in California, it was binding on other Federal district courts, in the Ninth Circuit (comprising the States of California, Oregon, Washington, Idaho, Montana, Nevada, Arizona, Alaska, and Hawaii) and could be cited in States outside the Ninth Circuit's jurisdiction. The reasoning of the decision produced uncertainty regarding the RARE II study for other States. Management of roadless areas not designated as wilderness is subject to challenge through administrative appeals and lawsuits. In fact, such challenges have occurred. There have been three lawsuits filed in the Northwest that rely extensively on *California* v. *Block.* In *Earth First* v. *Block* (Civil No. 83-6298-ME-RE, D. Oreg.), the United States District Court for the District of Oregon enjoined the Forest Service from taking or permitting any action which would be inconsistent with the wilderness character of a roadless area in Oregon until the requirements of *California* v. *Block* and the NEPA have been met. Similarly, in *Kettle Range Conservation Group* v. *Block* (Civil No. C-83-590-JLQ, E.D. Wash.), the Forest Service was enjoined from taking or permitting any action which will change the wilderness characteristics of four roadless areas in Washington. In December 1983, the Oregon Natural Resources Council brought suit against the Forest Service in an attempt to enjoin any activity which would impair the wilderness characteristics of approximately 2.25 million acres of roadless lands in Oregon until the requirements of NEPA have been met. That suit is pending. *Oregon Natural Resources Council* v. *Block,* Civil No. 83-1902, D. Oreg.

In February 1983, Assistant Secretary of Agriculture John B. Crowell, Jr., announced that all roadless areas studies for wilderness potential during RARE II would be subject to reevaluation. This reevaluation was to be done as a part of the National Forest System land management planning process then underway for 120 national forest planning units and scheduled for completion in 1985.

The desire to avoid further wilderness study and to preclude litigation directed at stopping the continuation of management activities on roadless areas led to a search for a legislative solution. Provisions termed "sufficiency" and "release" leanguage were the outcome of that search. Such language has appeared in legislation designating wilderness areas in Colorado, New Mexico, Alaska, Missouri, West Virginia, and Indiana. That language, which was generally patterned after the Colorado wilderness bill, continued to trouble a number of affected industry groups, and in an effort to address their concerns, Congress developed and agreed on a new version of the so-called "release" language, which is included in the bill.

The status of National Forest System areas designated for further planning by RARE II and lying east of the 100th meridian was also placed in doubt by a case origninating in North Carolina. The Eastern Wilderness Act designated certain National Forest System lands as wilderness and designated other lands as wilderness study areas. That Act directed the Secretary of Agriculture to review the study areas for their suitability or nonsuitability for wilderness designation and to make recommendations to the President, including recommendations for wilderness study areas. In *Southern Appalachian Multiple Use Council* v. *Bergland,* (No. A-C-80-1, W.D. N.C.), a Federal district court ruled, in relying on the Eastern Wilderness Act, that the Secretary had no authority to administratively designate "further planning" areas (and thereby administratively withhold any management activities in the area pending the completion of the study and determination of the area's status), but only to *recommend* areas to be designated as wilderness study areas. The court also ruled that the Secretary could manage the areas recommended so as not to impair their suitability for wilderness, pending congressional action. The ruling had an effect on the land management planning process on eastern national forests (those affected by the provisions of the Eastern Wilderness Act) insofar as the evaluation of areas for wilderness suitability is concerned. Under the court's ruling, forest plans on national forests east of the 100th meridian cannot recommend areas for wilderness designation, rather they can only recommend to Congress that such areas be studied for their wilderness suitability.

Sufficiency and judicial review of the RARE II environmental statement

The bill contains language relating to the sufficiency of the RARE II final environmental impact statement. As previously discussed, the need for the language arises because of a Federal district court dicision in *California* v. *Bergland,* supra, in which it was held that the RARE II environmental impact statement, as it aplied to 46 areas considered for wilderness in California, had insuffiiently considered the wilderness alternative for the areas. Activities that would impair the wilderness characteristics of the areas were enjoined until subsequent reconsideration of wilderness was completed. This action creates unceratinty over the management of some nonwilderness areas, where administrative or judicial appeals could halt some activities until adequate environmental impact statements are prepared. The Committee, in considerating the bill, has reviewed the roadless areas in Mississippi. It believes that the RARE II final environmental impact statement, insofar as National Forest System lands in Mississippi are concerned, is sufficient, and, therefore, the bill provides that such environmental statement shall not be subject to judicial review.

Release, management, and future wilderness consideration of nonwilderness areas

The RARE II process during 1977 through 1979 took place concurrently with the development by the Forest Service of a new land management planning process mandated by the National Forest Management Act of 1976 (NFMA). That process requires the national forest land management plans to be reviewed and revised periodically to provide for a variety of uses on the land. During the review and revision process, the Forest Service is required to study a broad range of potential uses and options for each national forest. NFMA provides that the option of recommending land to Congress for inclusion in the National Wilderness Preservation System is only one of the many options that must be considered during the planning process for those lands which may be suited for wilderness designation. The Forest Service is presently developing the initial, or "first generation", plan for each national forest. These are the so-called "section 6" plans, and they are scheduled for completion by September 30, 1985. Upon implementation, these plans will be in effect for 10 to 15 years before being revised and updated.

One of the goals of RARE II was to consider the wilderness potential of National Forest System roadless areas. The Committee believes that further consideration of the wilderness option during development of the initial plans for the National Forest System roadless areas in Mississippi, as defined in section 5 of the bill, and during the period when the initial plan is in effect, would be duplicative of studies and reviews that have already been made by both the Forest Service and Congress. Therefore, the bill provides that the RARE II evaluation or the reference to certain other lands constitutes an adequate consideration of the suitability of these roadless areas for inclusion in the National Wilderness Preservation System and no further review by the Department of Agriculture shall be required prior to the revision of the initial land management plan for the national forest. This provision is necessary to ensure that these lands will be considered as functioning units of the national forests and has the practical effect of releasing these lands for multiple uses other than wilderness.

The NFMA provides that a national forest management plan shall be in effect for no longer than 15 years before it is revised. The Forest Service regulations, however, provide that a forest plan "shall ordinarily be revised on a 10-year cycle or at least every 15 years." (36 CFR 219.10(g)). The language of the bill tracks these regulations.

By tying future review of the wilderness option to revision of initial plans, the Committee intends to make it clear, consistent with the NFMA and current Forest Service regulations, that amendments to a plan, including those that might result in a significant change in a plan, would not trigger the need for reconsideration of the wilderness option. The wilderness option does not need to be reconsidered until the Forest Service determines (1) based on a review of the lands covered by a plan, that conditions in the area covered by a plan have changed so significantly that the entire plan needs to be completely revised, or (2) that the statutory 15-year maximum life plan of the plan is expiring.

A revision of a forest plan is a costly undertaking in terms of dollars and manpower and the Committee does not expect such an effort to be undertaken lightly. When required by changing conditions, the Forest Service should make every effort to address local changes in land management plans through the amendment process, reserving the revision option only for major, forest-wide changes in conditions.

For example, if a new powerline is proposed to be built across a forest, any modification of the applicable forest plan to permit the line to be built would be accomplished by an amendment, not a revision, and therefore the wilderness option would not have to be reexamined. It is only when a proposed change in management would significantly affect overall goals or uses for the entire forest that a revision would be made. An example of such a situation is the recent eruption of Mt. St. Helens. Because if affected so much of the land in the Gifford Pinchot National Forest, including the forest's overall timber harvest schedule, the necessary changes in the applicable forest plan would likely be considered a revision of the plan. In this regard, the Committee notes that in the vast majority of cases the 10- to 15-year planning cycle established by the NFMA and in the existing regulations is short enough to accommodate most changes in circumstances without triggering more frequent plan "revisions". It is highly unlikely that conditions will change so dramatically during the 10- to 15-year planning cycle that anything more comprehensive than a plan amendment would be required.

It is not likely that primitive, semiprimitive, or motorized recreation use would change so rapidly over an entire national forest that the Forest Service or the Federal courts would be justified in concluding that the conditions in the forest are so significantly changed as to justify making a plan revision prior to the normal 10- to 15-year life span for the existing plan. For example, recreation use might increase in a specific area or areas resulting in changed conditions in the forest itself. In the judgment of the Forest Service, such changes could be met by amending the plan, as opposed to revising it. This is not to say that an increase in demand for recreation in a given area will automatically, in and of itself, constitute a valid requirement for even a plan amendment. In addition, it is not the Committee's intent, nor, in the judgment of the Committee, the intent of any Federal statute, to force the Forest Service into either plan amendments or revisions as a result of changes in use patterns in the national forests.

The Chief of the Forest Service has indicate that, in his view, most plans will be in existence for 10 years before they are revised. The Committee shares this view and anticipates that plans will not be revised in advance of their anticipated maximum life span absent extraordinary circumstances. The Committee understands and expects that the first generation plans will be completed by late 1985 in most cases and the time of revision for most plans will begin about 10 years from the date of implementation for each plan. Accordingly, the Committee expects that the wilderness option for any area will not be reexamined again until the plans have been in effect for 10 years, unless the area is specifically designated as a wilderness study area by Congress.

The Committee notes that administrative or judicial appeals may mean that some of the first generation plans will not actually be implemented until the late 1980's, and plan revisions would not take place until a 10-year period has elasped from the date each plan is implemented. If the full 15 years allowed by NFMA elapses before a revision is made, the wilderness option may not in some cases be reviewed until the year 2000 or later.

The question has also arisen as to whether a revision would be triggered if the Forest Service is directed by the courts to modify or rework an initial plan, or if the Forest Service withdraws an initial plan to correct technical errors or to address issues raised by an administrative appeal. The Committee wants to make it as clear as possible that any reworking of an initial plan for such reasons would not constitute a revision of the plan and would not require the reconsideration of the wilderness option for the lands covered by the plan.

This position is based on the fact that court-ordered or administrative reworkings or modifications of a plan would most likely come about to resolve inadequacies in the preparation of the plan under the requirements of NFMA and other applicable laws. Since the NFMA, and the implementing regulations, specify that a plan revision will only occur when the Secretary finds that there has been a significant change in conditions in the forest planning unit, or at least once every 10 to 15 years, it is clear that such reworking or modification would not be a revision for at least two reasons: (1) the modification would not be the result of any significant change in conditions in the forest planning unit and (2) a plan must be properly prepared and implemented before it can be revised.

The fact that the wilderness option for roadless areas will be considered in the future during the planning process raises the hypothetical argument that areas not designated for wilderness must be managed to preserve their wilderness attributes so that they may be considered for such designation in the future. This interpretation, if accepted as correct, would result in all roadless areas being kept in "de facto" wilderness status indefinitely. Such a requirement would be deterimental to the orderly management of nonwilderness lands and the goals of the Forest and Rangeland Renewable Resources Planning Act of 1974.

To eliminate any possible misunderstanding on this point, the bill provides that areas not designated as wilderness need not be managed for the purpose of protecting their suitability for future wilderness designation pending revision of the initial plans. The intent is that these lands be managed for multiple uses in accordance with the land management plan.

The Forest Service already has statutory authority to manage roadless areas for multiple uses other than wilderness. The Committee wishes to make clear, however, that study of the wilderness option in future generations of "section 6" plans is required only for those lands that may be suited for wilderness designation at the time of the development of such future plans. During the lifetime of each generation of plans, then, the forest land and other resources can, in fact, be put to the uses that are authorized in the plan. In short, one plan will remain in effect until the second plan is implemented, and the forest will be managed in accordance with the plan that is in effect, even if such management may result in the land no longer being suited for wilderness.

Thus, it is likely that areas evaluated for wilderness suitability in one generation of plans may not physically qualify for wilderness consideration by the time the next generation of plans is prepared. For example, the Committee notes that many areas that were studied for wilderness in the RARE II, recommended for nonwilderness, and released administratively in April of 1979, may no longer qualify as suitable wilderness study areas as a result of approved multiple-use activities having been carried out.

Under this provision, it is the Committee's intent and understanding that the Forest Service may conduct a timber sale in a roadless area being managed for multiple-use purposes other than wilderness and not be challenged on the basis that the area will be spoiled for consideration as wilderness in a future planning cycle. Once into a second-generation plan, the Forest Service may, of course, manage a roadless area according to that plan without the necessity of preserving the wilderness option for the third-generation planning process. Should the particular area still qualify for possible wilderness designation at the time of the third-generation planning process, which is likely in many cases, the wilderness option for the area would be considered at that time under the requirements of NFMA. In short, the wilderness option must be considered in each future planning generation for all of the areas in each planning unit that still possess the require wilderness attributes. There is no requirement, however, that these attributes be preserved for the purpose of maintaining the suitability of the affected areas for future evaluation as wilderness in the planning process.

In the Committee's judgment, the Forest Service is not required to manage multiple-use lands in a "de facto" wilderness manner. Of course, the Forest Service can, if it determines such action appropriate, manage lands to preserve their natural undeveloped characteristics if the applicable plan calls for such management. Likewise, the Forest Service can, if through the land management planning process it determines such action appropriate, provide for other multiple uses on lands that have not been designated as wilderness or as wilderness study areas by Congress. The Forest Service should be able to manage all nonwilderness lands in the manner determined appropriate through the land management planning process.

However, the bill also provides that lands recommended for wilderness designation in future generations of land management plans must be managed to protect their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by NFMA, and other applicable law.

In arriving at this position, the Committee has carefully considered and balanced the wishes and concerns of many varied interest groups involved in this issue, and wishes to emphasize the vital importance of completing and implementing the forest plans in Mississippi and ending the state of uncertainty over appropriate land management that now exists in the national forests.

In order to eliminate the land management uncertainty with regard to as much of the National Forest System land in Mississippi as possible, the bill provides that the release and sufficiency provisions of the bill also apply to those National Forest System roadless lands that were evaluated in the Delta unit plan and to National Forest System roadless lands in Mississippi that are less than 5,000 acres in size.

No further statewide wilderness review

With regard to the possibility of the Forest Service undertaking future administrative reviews similar to RARE I and RARE II, since the National Forest Management Act of 1976 planning process is now in place, the Committee wishes to see the development of any future wilderness recommendations by the Forest Service take place only through that planning process, unless Congress expressly asks for additional evaluations through authorizing legislation. Therefore, the bill prohibits the Department of Agriculture from conducting any further statewide roadless area review and evaluation of National Forest System lands in Mississippi for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System. This provision does not prohibit the Forest Service from considering the wilderness option during a normal plan revision when the entire State is covered by a single plan.

COMMITTEE CONSIDERATION

HEARINGS

On Wednesday, July 25, 1984, the Subcommittee on Soil and Water Conservation, Forestry, and Environment, chaired by Senator Roger Jepsen, Held a hearing on S. 2808, the Mississippi National Forest Wilderness Act of 1984.

In his opening remarks, Senator Jepsen said that he appreciates and respects the different points of view on the amount of land to be designated as wilderness in the various States and hopes the hearing will help resolve these issues. He also noted that compromise release language worked out between the Senate and House has enabled several wilderness bills to be signed into law.

Senator Thad Cochran, sponsor of the bill, testified in favor of the legislation and said that, through the involvement of the citizens of Mississippi, an agreement has been developed on this important piece of legislation. If passed and signed into law, it will ensure the preservation of an important part of Mississippi heritage for future generations to enjoy. Senator Cochran also noted that S. 2808 was the first bill ever introduced to designate lands as wilderness in the State of Mississippi.

F. Dale Robertson, Associate Chief, Forest Service, testified for the Department of Agriculture. Mr. Robertson stated that the two areas designated for wilderness by S. 2808 are generally recognized as having outstanding opportunities for solitude and unconfined recreation. He further noted that both areas were recommended for wilderness during RARE II, and the Department of Agriculture continues to support their designation.

The final witness to address S. 2808 was Dr. Thomas M. Pullen, Jr., Member, Executive Committee, Mississippi Chapter, Sierra Club. Dr. Pullen stated that the Mississippi chapter of the Sierra Club supports S. 2808 and believes its to be a compromise that takes an important first step toward designation of wilderness areas in the State of Mississippi. He noted that the bill, as presently drafted, would exclude all other potential national forest roadless areas from wilderness consideration for a 10- to 15-year period.

Dr. Pullen said that, unlike many other States, Mississippi has very few areas that possess true wilderness characteristics, and all are valuable and worthy of protection. He said the Mississippi Chapter of the Sierra Club is disappointed that the bill does not incorporate language to allow continued national forest wilderness consideration prior to future management plan revision 10 to 15 years from now. Dr. Pullen stated that while compromises, at times, must be made, good stewardship of public lands demands that management be geared toward the long-term needs of society.

COMMITTEE MARKUP

The Committee met in open sesson on Thursday, September 13, 1984, to consider S. 2808.

In his opening statement, Chairman Helms noted that the Mississippi wilderness bill was just one of six bills to be considered by the Committee that would add new areas to the National Wilderness Preservation System. Consideration of these bills, together with the four wilderness bills considered by the Committee and signed into law earlier this year, indicates that the Committee takes seriously its responsibility to provide clear direction for forestry policy regarding wilderness and other matters. Chairman Helms noted that the preservation of these additional wilderness areas will leave a legacy that will provide unlimited opportunity for primitive recreation and enjoyment for those choosing to visit the areas.

Senator Huddleston questioned the Forest Service on their efforts to obtain the privately-held mineral rights on existing wilderness areas and whether the exercise of those rights is a growing problem. Douglas MacCleery, Deputy Assistant Secretary for Natural Resources and Environment of the Department of Agriculture, responded that since most of the national forest lands in the eastern United States were acquired from private owners who retained the subsurface mineral rights, it would be very expensive to acquire all of those rights, and the Forest Service does not buy those rights when it makes new acquisitions. The Forest Service deals with this issue on a case-by-case basis, and if a private owner elects to exercise his mineral rights, the Forest Service looks at the impact it might have on the wilderness value and makes a decision as how best to proceed. This factor is also taken into consideration when the Department makes recommendations on which areas are appropriate for wilderness designation.

After a brief explanation of the bill, Chairman Helms, on behalf of Senators Cochran and Stennis, offered an amendment that would make technical and clerical changes in the bill. The amendment was adopted by voice vote.

Senator Cochran expressed his hope that the Senate could complete action on the bill in this session.

By voice vote, the Committee ordered S. 2808 reported, as amended, with a recommendation that it pass.

SECTION-BY-SECTION ANALYSIS

Short title

Section 1 provides that the bill may be cited as the "Mississippi National Forest Wilderness Act of 1984".

Designation of wilderness areas

Section 2 designates certain National Forest System lands in Mississippi, totaling approximately 5,500 acres, as wilderness areas and as components of the National Wilderness Preservation System as follows:

(1) approximately 4,560 acres in the De Soto National Forest, as generally depicted on a map entitled "Proposed Black Creek Wilderness", dated January 1979, which shall be known as the Black Creek Wilderness; and

(2) approximately 940 acres in the De Soto National Forest, as generally depicted on a map entitled "Proposed Leaf Wilderness", dated January 1979, which shall be known as the Leaf Wilderness.

Maps and descriptions

Section 3 requires that, as soon as practicable after enactment of the bill, maps and legal descriptions of the areas designated as wilderness in the bill be filed by the Secretary of Agriculture with the House Committees on Agriculture and on Interior and Insular Affairs and with the Senate Committee on Agriculture, Nutrition, and Forestry. In addition, the bill provides that the maps and descriptions shall have the same force and effect as if included in the bill, except that correction of clerical and typographical errors may be made by the Secretary. The maps and descriptions must be on file and available for public inspection in the Office of the Chief of the Forest Service.

Administration of wilderness

Section 4 requires that, subject to valid existing rights, each of the areas designated as wilderness by the bill be administered by the Secretary in accordance with the provisions of the Wilderness Act, except that any reference in those provisions to the effective date of that Act would be deemed to be a reference to the date of enactment of the bill.

Effect of RARE II

Section 5(a) contains congressional findings to the effect that the Department of Agriculture has completed the second roadless area review and evaluation (RARE II) and that Congress has made its own evaluation of National Forest System roadless areas in Mississippi, including reviewing the environmental impacts associated with alternative uses of these areas.

Section 5(b) provides that Congress determines and directs, with respect to the National Forest System lands in Mississippi, that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to National Forest System lands in States other than Mississippi, such final environmental statement shall not be subject to judicial review;

(2) to the extent such lands were reviewed in the RARE II or otherwise referenced in subsection (d), the RARE II review and evaluation or reference shall be considered to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System for the purposes of the initial land management plans required by law. Also, the Department shall not be required to review the wilderness option for such lands prior to revision of the initial land management plans but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a 10-year cycle, or at least every 15 years, unless, prior to that time, the Secretary finds that conditions in a unit have significantly changed;

(3) to the extent such lands were reviewed in the RARE II final environmental statement, or otherwise referenced in the bill and not designated as wilderness, such nondesignated lands shall be managed for multiple-use purposes in accordance with section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, except that such lands need not be managed to protect their suitability for wilderness designation prior to or during revision of the initial land management plans;

(4) in the event that revised land management plans are implemented, areas not recommended for wilderness designation in any such revisions need not be managed to protect their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed to protect their suitability for wilderness designation as may be required by applicable law; and

(5) unless expressly authorized by Congress, the Department shall not conduct any additional statewide roadless area review and evaluation of such lands for the purpose of determining the suitability of any additional areas for inclusion in the National Wilderness Preservation System.

Section 5(c) provides that, as used in the bill and in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended, the term "revision" does not include an "amendment" to a plan.

Section 5(d) provides that the release provisions of the section also apply to—

(1) those National Forest System roadless lands that were evaluated in the Delta unit plan dated February 1976; and

(2) National Forest System roadless lands in Mississippi that are less than 5,000 acres in size.

ADMINISTRATION VIEWS

On August 6, 1984, Chairman Helms received a report from Secretary of Agriculture John R. Block expressing the Department's support for the enactment of S. 2808. This report, along with the portion of the July 25, 1984, testimony to the Subcommittee on Soil and Water Conservation, Forestry, and Environment presented by Mr. F. Dale Robertson, Associate Chief of the Forest Service, on S. 2808 follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, DC, August 6, 1984.

Hon. JESSE HELMS,
Chairman, Committee on Agriculture, Nutrition and Forestry, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: We would like to offer our views on S. 2808, a bill "To designate certain National Forest System lands in the State of Mississippi as wilderness, and for other purposes."

The Department of Agriculture recommends that the bill be enacted.

S. 2808 would designate two wildernesses on National Forest System lands in the State of Mississippi. They are the 4,560-acre Black Creek proposed wilderness and the 940-acre Leaf proposed wilderness.

Currently, there are no wilderness areas in the State of Mississippi. The second Roadless Area Review and Evaluation (RARE II) analyzed only three areas, totaling just over 7,800 acres for wilderness suitability. In that review, these two present proposals, Black Creek and Leaf, were recommended for wilderness. The other area, Sandy Creek, was identified for further planning.

Both the Black Creek and Leaf proposals are generally recognized as having outstanding opportunities for solitude and confined recreation. Water is a major feature at these areas.

The bill contains the recent compromise release language and would release the Sandy Creek roadless area as well as areas less than 5,000 acres that might not have been inventoried in RARE II.

We estimate that the costs of surveying, planning, and related activities necessary to implement the bill would be approximately $50,000 over the next 5 years.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

JOHN R. BLOCK, *Secretary.*

STATEMENT OF F. DALE ROBERTSON, ASSOCIATE CHIEF, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Before the Subcommittee on Soil and Water Conservation, Forestry, and Environment of the Senate Committee on Agriculture, Nutrition and Forestry

Concerning S. 2773, S. 2805, H.R. 5121 and S. 2808, July 25, 1984

Mr. Chairman and members of the committee: It is a pleasure to join you here today as you consider several bills that would designate portions of the National Forests in Georgia, Mississippi, and Virginia as components of the National Wilderness Preservation System.

S. 2808—The "Mississippi National Forest Wilderness Act of 1984"

This bill would designate two wilderness areas in the State of Mississippi—Black Creek and Leaf—totaling approximately 5,500 acres.

Currently, there are no wilderness areas in the State of Mississippi. Black Creek and Leaf are generally recognized as having outstanding opportunities for solitude and unconfined recreation. Water is a major feature at both areas. Both of these areas were recommended for wilderness during RARE II, and we continue to support their designation. The bill contains the Senate/House compromise release language which we support.

We recommend S. 2808 be enacted.

COST ESTIMATE

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee estimates that the enactment of S. 2808 would result in a cost to the Federal Government of approximately $50,000 over the next 5 fiscal years. However, small savings in land management planning costs over the next 3 years will result from certain areas being released from further wilderness review during the period of the initial land management plans.

In accordance with the Congressional Budget Act of 1974, the Congressional Budget Office prepared the following cost estimate, which is consistent with the Committee's cost estimate:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 17, 1984.

Hon. JESSE A. HELMS,
Chairman, Committee on Agriculture, Nutrition and Forestry, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 2808, the Mississippi National Forest Wilderness Act of 1984, as ordered reported by the Senate Committee on Agriculture, Nutrition and Forestry, September 13, 1984.

This bill adds 5,500 acres of land in Mississippi to the national wilderness preservation system. Based on information from the National Forest Service (NFS), we estimate that additional costs to the federal government for surveying, planning and related activities necessary to implement the wilderness withdrawals will be approximately $50,000 over the five fiscal years beginning with 1985.

All roadless areas in national forests not designated as wilderness or expressly excluded from further review by an act of the Congress are currently being reevaluated for their suitability for inclusion in the national wilderness preservation system. S. 2808 removes from this review all roadless areas in Mississippi included in the Department of Agriculture's second Roadless Areas Review and Evaluation (RARE II) during the period of the initial land management plans. This will result in small savings in land management planning costs over the next three years.

Enactment of this bill would not significantly affect the budgets of state and local governments.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

Eric Hanushek
(For Rudolph G. Penner).

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2808. The bill would designate certain lands in the State of Mississippi as components of the National Wilderness Preservation System.

The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

Subject to valid existing rights, the Wilderness Act prohibits future harvesting of timber and future entry for mineral extraction on lands included in the National Wilderness Preservation System. Enactment of the bill will result in approximately 5,500 acres being placed in the National Wilderness Preservation System, and, thereby, will restrict uses other than wilderness on such land.

Wilderness designation will result in restricting private individuals' motorized use of public lands. Activities which have previously occurred, such as firewood gathering, motorized access for hunting and fishing, and trail bike riding, will be terminated.

A wilderness permit may be required of individuals using certain wilderness areas and, therefore, limited personal information would be collected in administering the program. It is anticipated that the impact on personal privacy would be minimal.

The bill will not result in any significant additional paperwork or recordkeeping requirements.

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